AMENDED

April 9, 2014

**S. 516**

Introduced by Senators Peeler, Fair, Hayes and Courson

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Read the first time March 12, 2013.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA READ TO SUCCEED ACT”; BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND A READING PROFICIENCY PANEL WITHIN THE OFFICE, AND TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT OF EDUCATION, STATE SUPERINTENDENT OF EDUCATION, SCHOOL DISTRICTS, COLLEGES, AND UNIVERSITIES THAT OFFER CERTAIN RELATED GRADUATE EDUCATION, AND EDUCATORS AND ADMINISTRATORS, AMONG OTHER THINGS.

Amend Title To Conform

Whereas, the South Carolina General Assembly finds that national research has documented that students unable to comprehend grade‑level text struggle in all their courses; and

Whereas, the South Carolina General Assembly finds that while reading typically has been assessed through standardized tests beginning in third grade, research has found that many struggling readers reach preschool or kindergarten with low oral language skills and limited print awareness. Once in school, they and other students fail to develop proficiency with decoding or comprehension; and

Whereas, researchers have linked improved oral language competencies and print awareness in children, especially children in poverty, who had access to high‑quality, center‑based four‑year‑old education programs; and

Whereas, extensive evidence has indicated that high‑quality, center‑based, four‑year‑old education programs increase the likelihood of young children’s school readiness and future educational success, particularly for preschoolers who live in poverty; and

Whereas, the South Carolina General Assembly finds that research has also shown that students who have difficulty comprehending texts struggle academically in their content area courses but seldom receive effective instructional intervention during middle and high school to improve their reading comprehension. These are the students least likely to graduate; and

Whereas, the South Carolina General Assembly finds that one recent longitudinal study found that students reading below grade level at the end of third grade were six times more likely to leave school without a high school diploma; and

Whereas, the South Carolina General Assembly finds that reading proficiency is a fundamental life skill vital for the educational and economic success of our citizens and State. In accordance with the ruling of the South Carolina Supreme Court that all students must be given “an opportunity to acquire the ability to read, write, and speak the English language”, the South Carolina General Assembly finds that all students must be given high quality instruction in order to learn to read, comprehend, write, speak, listen, and use language effectively across all content areas; and

Whereas, to guarantee that all students exhibit these abilities and behaviors, the State of South Carolina must implement a comprehensive and strategic approach to reading proficiency for students in prekindergarten through twelfth grade that begins when each student enters the public school system and continues until he or she graduates. Now, therefore,

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

SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 155

South Carolina Read to Succeed Act

Section 59‑155‑110. There is established the South Carolina Read to Succeed Office to offer a comprehensive, systemic approach to reading which will ensure that:

(1) classroom teachers use evidence‑based reading instruction in prekindergarten through grade 12, to include oral language, phonological awareness, phonics, fluency, vocabulary, and comprehension; administer and interpret valid and reliable assessments; analyze data to inform reading instruction; and provide evidence based interventions as needed so that all students develop proficiency with literacy skills and comprehension;

(2) classroom teachers periodically reassess their curriculum and instruction to determine if they are helping each student progress as a proficient reader and make modifications as appropriate;

(3) each student who cannot yet comprehend grade‑level text is identified as early as possible and at all stages of his or her educational process;

(4) each student receives targeted, effective comprehension support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade‑level texts;

(5) each student and his parent or guardian is continuously informed in writing of:

(a) the student’s reading proficiency needs, progress, and ability to comprehend grade‑level texts;

(b) specific actions the classroom teacher and other reading professionals have taken and will take to help the student comprehend grade‑level texts; and

(c) specific actions that the parent or guardian can take to help the student comprehend grade‑level texts by providing access to books, assuring time for the student to read independently, reading to students, and talking with student about books;

(6) classroom teachers receive preservice and in‑service coursework which prepares them to help all students comprehend grade‑level texts;

(7) all students develop reading and writing proficiency to prepare them to graduate and to succeed in their career and postsecondary education; and

(8) each school district publishes annually a comprehensive research‑based reading plan that includes intervention options available to students and funding for these services.

Section 59‑155‑120. As used in this chapter:

(1) ‘Board’ means the State Board of Education.

(2) ‘Department’ means the State Department of Education.

(3) ‘Discipline specific literacy’ means the ability to read, write, listen, and speak across various disciplines and content areas including, but not limited to, English language arts, science, mathematics, social studies, physical education, health, the arts, and career and technology education.

(4) ‘Readiness assessment’ means an evaluation used to analyze students’ literacy, mathematical, physical, social, and emotional‑behavioral competencies in prekindergarten or kindergarten. For purposes of the physical assessment, the evaluation must include a vision and hearing test.

(5) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add‑on literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education.

(6) ‘Reading portfolio’ means an organized collection of evidence and assessments documenting that the student does not substantially fail to demonstrate third‑grade reading proficiency.

(7) ‘Reading proficiency’ means the ability of students to meet state reading standards in kindergarten through grade twelve, demonstrated by readiness, formative, or summative assessments.

(8) ‘Reading proficiency skills’ means the ability to understand how written language works at the word, sentence, paragraph, and text level and mastery of the skills, strategies, and oral and written language needed to comprehend grade‑level texts.

(9) ‘Research‑based formative assessment’ means assessments used within the school year to analyze strengths and weaknesses in reading comprehension of students individually to adapt instruction to meet student needs, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.

(10) ‘Substantially fails to demonstrate third‑grade reading proficiency’ means reading at levels that are equal to or comparable to the level or Not Met 1 on the Palmetto Assessment of State Standards (PASS).

(11) ‘Summative assessment’ means state‑approved assessments administered in grades three through eight and any statewide assessment used in grades nine through twelve to determine student mastery of grade‑level or content standards.

(12) ‘Summer reading camp’ means an educational program offered in the summer for students who are unable to comprehend grade‑level texts.

(13) ‘Third‑grade reading proficiency’ means the ability to read grade‑level texts by the end of a student’s third grade year as demonstrated by the results of state‑approved assessments administered to third grade students, or through other assessments as noted in this chapter and adopted by the board.

(14) ‘Writing proficiency skills’ means the ability to communicate information, analysis, and persuasive points of view effectively in writing.

Section 59‑155‑130. The Read to Succeed Office must guide and support districts and collaborate with university teacher training programs to increase reading proficiency through the following functions, including, but not limited to:

(1) providing professional development to teachers, school principals, and other administrative staff on reading instruction and reading assessment that informs instruction;

(2) providing professional development to teachers, school principals, and other administrative staff on reading in content areas;

(3) working collaboratively with institutions of higher learning offering courses in reading and writing and those institutions of education offering accredited master’s degrees in reading‑literacy to design coursework leading to a literacy teacher add‑on endorsement by the State;

(4) providing professional development in reading and coaching for already certified reading/literacy coaches and literacy teachers;

(5) developing information and resources that school districts can use to provide workshops for parents about how they can support their children as readers;

(6) assisting school districts in the development and implementation of their district reading proficiency plans for researched‑based reading instruction programs and assisting each of their schools to develop its own implementation plan aligned with the district and state plans; and

(7) annually designing content and questions for and review and approve the reading proficiency plan of each district.

Section 59‑155‑140. (A)(1) The department, with approval by the State Board of Education, shall develop, implement, evaluate, and continuously refine a comprehensive state plan to improve reading achievement in public schools. The State Reading Proficiency Plan must be approved by the board by January 1, 2015, and must include, but not be limited to, sections addressing the following components:

(a) reading process;

(b) professional development to increase teacher reading expertise;

(c) professional development to increase reading expertise and literacy leadership of principals and assistant principals;

(d) reading instruction;

(e) reading assessment;

(f) volume of reading;

(g) discipline specific literacy;

(h) writing;

(i) support for struggling readers;

(j) early childhood interventions;

(k) family support of literacy development;

(l) district guidance and support for reading proficiency;

(m) state guidance and support for reading proficiency;

(n) accountability; and

(o) urgency to improve reading proficiency.

(2) The state plan must be based on reading research and proven‑effective practices, applied to the conditions prevailing in reading‑literacy education in this State, with special emphasis on addressing instructional and institutional deficiencies that can be remedied through faithful implementation of research‑based practices. The plan must provide standards, format, and guidance for districts to use to develop and annually update their plans, as well as to present and explain the research‑based rationale for state‑level actions to be taken. The plan must be updated annually and must incorporate a state reading proficiency progress report.

(3) The state plan must include and document all existing state, local, and federal funds that support reading.

(B)(1) Beginning in Fiscal Year 2015‑2016, each district must prepare a comprehensive annual reading proficiency plan for prekindergarten through twelfth grade consistent with the plan by responding to questions and presenting specific information and data in a format specified by the Read to Succeed Office. Each district’s PK‑12 reading proficiency plan must present the rationale and details of its blueprint for action and support at the district, school, and classroom levels. Each district shall develop a comprehensive plan for supporting the progress of students as readers and writers, monitoring the impact of its plan, and using data to make improvements and to inform its plan for the subsequent years. The district plan piloted in school districts in Fiscal Year 2013‑2014 and revised based on the input of districts shall be used as the initial district reading plan framework used in Fiscal Year 2014‑2015 to provide interventions for struggling readers and fully implemented in Fiscal Year 2015‑2016 to align with the state plan.

(2) Each district PK‑12 reading proficiency plan shall:

(a) document the reading and writing assessment and instruction planned for all PK‑12 students and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑appropriate texts. Supplemental instruction shall be provided by teachers who have a literacy teacher add‑on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both;

(b) include a system for helping parents understand how they can support the student as a reader at home;

(c) provide for the monitoring of reading achievement and growth at the classroom, school, and district levels with decisions about intervention based on all available data;

(d) ensure that students are provided with wide selections of texts over a wide range of genres and written on a wide range of reading levels to match the reading levels of students;

(e) provide teacher training in reading and writing instruction; and

(f) include strategically planned and developed partnerships with county libraries, state and local arts organizations, volunteers, social service organizations, and school media specialists to promote reading.

(3)(a) The Read to Succeed Office shall develop the format for the plan and the deadline for districts to submit their plans to the office for its approval. A school district that does not submit a plan or whose plan is not approved shall not receive any state funds for reading until it submits a plan that is approved. All district reading plans must be reviewed and approved by the Read to Succeed Office. The office shall provide written comments to each district on its plan and to all districts on common issues raised in prior or newly submitted district reading plans.

(b) The Read to Succeed Office shall monitor the district and school plans and use their findings to inform the training and support the office provides to districts and schools.

(c) The department may direct a district that is persistently unable to prepare an acceptable PK‑12 reading proficiency plan or to help all students comprehend grade‑level texts to enter into a multidistrict or contractual arrangement to develop an effective intervention plan.

(C) Each school must prepare an implementation plan aligned with the district reading proficiency plan to enable the district to monitor and support implementation at the school level. A school implementation plan shall be sufficiently detailed to provide practical guidance for classroom teachers. Proposed strategies for assessment, instruction, and other activities specified in the school plan must be sufficient to provide to classroom teachers and other instructional staff helpful guidance that can be related to the critical reading and writing needs of students in the school. In consultation with the School Improvement Council, each school must include in its implementation plan the training and support that will be provided to parents as needed to maximize their promotion of reading and writing by students at home and in the community.

Section 59‑155‑150. (A) With the enactment of this chapter, the State Superintendent of Education shall ensure that every student entering publically funded prekindergarten and kindergarten beginning in Fiscal Year 2014‑2015 will be administered a readiness assessment by the forty‑fifth day of the school year. Initially the assessment shall focus on early language and literacy development. Beginning in Fiscal Year 2016‑2017, the assessment must assess each child’s early language and literacy development, mathematical thinking, physical well‑being, and social‑emotional development. The assessment may include multiple assessments, all of which must be approved by the board. The approved assessments of academic readiness must be aligned with first and second grade standards for English language arts and mathematics. The purpose of the assessment is to provide teachers and parents or guardians with information to address the readiness needs of each student, especially by identifying language, cognitive, social, emotional, health problems, and concerning appropriate instruction for each child. The results of the assessment and the developmental intervention strategies recommended to address the child’s identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language skills are assessed to be below the norm of their peers in the State must be aligned with the district’s reading proficiency plan for addressing the readiness needs of each student. The results of each assessment also must be reported to the Read to Succeed Office through an electronic information system.

(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teacher observations, must be provided intensive in‑class and supplemental reading intervention immediately upon determination. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and reading instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in‑class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade‑level independently. In addition, the parent or guardian of the student must be notified, in writing, of the child’s inability to read grade‑level texts, the interventions to be provided, and the child’s reading abilities at the end of the planned interventions. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office through an electronic student reading progress monitoring data.

(C) Programs that focus on early childhood literacy development in the State are required to promote:

(1) parent training and support for parent involvement in developing children’s literacy; and

(2) development of oral language, print awareness, and emergent writing; and are encouraged to promote community literacy including, but not limited to, primary health care providers, faith‑based organizations, county libraries, and service organizations.

Section 59‑155‑160. (A) Beginning with Fiscal Year 2017‑2018 school year, a student must be retained in the third grade if the student fails substantially to demonstrate third‑grade reading proficiency at the end of the third grade. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose individual education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose individual education plan or Section 504 plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who demonstrate third‑grade reading proficiency on an alternative assessment approved by the board and which teachers may administer following the administration of the state assessment of reading or after a student’s participating in a summer reading camp;

(4) who have received reading intervention and were previously retained; and

(5) who through a reading portfolio document, the student’s mastery of the state standards in reading equal to at least a level above the lowest level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the state English language arts standards that are assessed by the Grade 3 state reading assessment. The Read to Succeed Office shall develop guidelines for the student portfolio; however the student portfolio must meet the following minimum criteria:

(a) be selected by the student’s English language arts teacher or summer reading camp instructor;

(b) be an accurate picture of the student’s ability and only include student work that has been independently produced in the classroom;

(c) include evidence that the benchmarks assessed by the Grade 3 state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English language arts standards or teacher‑prepared assessments;

(d) be an organized collection of evidence of the student’s mastery of the English language arts state standards that are assessed by the Grade 3 state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and

(e) be signed by the teacher and the principal as an accurate assessment of the required reading skills.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student’s academic record. This evidence must be limited to the student’s individual reading proficiency plan, individual education program, alternative assessments, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

(C)(1) Students substantially not demonstrating third‑grade reading proficiency may enroll in a summer reading camp prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. School transportation shall be provided. The camps must be taught by compensated teachers who have at least an add‑on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts may also choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith‑based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer reading camp. Students who demonstrate third‑grade reading proficiency through an alternative assessment or student reading portfolio after completing the summer reading camp must be promoted to the fourth grade.

(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59‑19‑90, except where a child is found to be reading below grade level in the first, second, or third grade.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and reading instruction, supplemental text‑based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The school must report through the student reading progress monitoring data system to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third‑grade reading proficiency by the end of third grade, his parent or guardian timely must be notified, in writing, that the student will be retained unless exempted from mandatory retention for good cause. The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The written notification must include a description of the proposed reading interventions that will be provided to help the student comprehend grade‑level texts. The parent, guardian, or other education advocate of a retained student must receive written reports at least monthly on the student’s progress toward being able to read grade‑level texts based upon the student’s classroom work, observations, tests, assessment, and other information. The parent, guardian, or other education advocate also must be provided with a plan for promoting reading at home, including participation in shared or guided reading workshops for the parent, guardian, or other family members. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced‑based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions shall be provided by reading interventionists in the classroom and, as appropriate, before or after school as documented in the district reading plan.

Section 59‑155‑170. (A) To help students develop and apply their reading and writing skills across the school day in all the academic disciplines, including, but not limited to, English language arts, mathematics, science, social studies, the arts, career and technology education, and physical and health education, teachers of these content areas at all grade levels must focus on helping students comprehend print and non‑print texts authentic to the content area. The Read to Succeed Program is intended to institutionalize in the public schools a comprehensive system to promote high achievement in the content areas described in this chapter through extensive reading and writing. Research‑based practices must be employed to promote comprehension skills through, but not limited to:

(1) vocabulary;

(2) connotation of words;

(3) connotations of words in context with adjoining or prior text;

(4) concepts from prior text;

(5) personal background knowledge;

(6) ability to interpret meaning through sentence structure features;

(7) questioning;

(8) visualization; and

(9) discussion of text with peers.

(B) These practices must be mastered by teachers through high quality training and addressed through well‑designed and effectively executed assessment and instruction implemented with fidelity to research‑based instructional practices presented in the state, district, and school reading plans. All teachers, administrators, and support staff must be trained adequately in reading comprehension in order to perform effectively their roles enabling each student to become proficient in content area reading and writing.

(C) During Fiscal Year 2014‑2015, the Read to Succeed Office shall establish a set of essential competencies that describe what certified teachers at the early childhood, elementary, middle or secondary levels must know and be able to do so that all students can comprehend grade‑level texts. These competencies, developed collaboratively with the faculty of higher education institutions and based on research and national standards, must then be incorporated into the coursework required by Section 59‑155‑180. The Read to Succeed Office, in collaboration with South Carolina Educational Television, shall provide professional development courses at no cost to the educator to ensure that educators have access to multiple avenues of receiving endorsements.

Section 59‑155‑180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English language arts, career and technology education, and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in pre‑kindergarten through grade 12, the State shall strengthen its preservice and in‑service teacher education programs.

(B)(1) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 school year, all pre‑service teacher education programs including MAT degree programs must require all candidates seeking licensure at the early childhood or elementary level to complete a 12‑semester credit sequence in literacy that includes a school‑based practicum and ensures that candidates grasp the theory, research, and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of providing an effective intervention.

(2) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 school year, all pre‑service teacher education programs, including MAT degree programs, must require all candidates seeking licensure at the middle or secondary level to complete a 6‑semester credit sequence in literacy that includes a course in the foundations of literacy and a course in content‑area reading.

(3) By this subsection, the General Assembly is not mandating an increase in the number of semester hours required for teacher candidates but rather is requiring that pre‑service teacher education programs prioritize their mission and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2) A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job‑embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

(a) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;

(b) facilitate study groups;

(c) train teachers in data analysis and using data to differentiated instruction;

(d) coaching and mentoring colleagues;

(e) work with teachers to ensure that research‑based reading programs are implemented with fidelity; and

(f) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms;

(g) help lead and support reading leadership teams.

(3) The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments. No later than August 1, 2014, the department must publish guidelines that define the minimum qualifications for a reading coach. Beginning in Fiscal Year 2014‑2015, reading/literacy coaches are required to earn the add‑on certification within six years, except as exempted in items (4) and (5), by completing the necessary courses or professional development as required by the department for the add‑on. During the six‑year period, to increase the number of qualified reading coaches, the Read to Succeed Office shall identify and secure courses and professional development opportunities to assist educators in becoming reading coaches and in earning the literacy add‑on endorsement. In addition, the Read to Succeed Office will establish a process through which a district may be permitted to use state appropriations for reading coaches to obtain in‑school services from department‑approved consultants or vendors, or only in the event that the school is not successful in identifying and directly employing a qualified candidate. Districts must provide to the Read to Succeed Office information on the name and qualifications of reading coaches funded by the state appropriations.

(4) Beginning in Fiscal Year 2015‑2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add‑on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, consistent with existing recertification requirements. The courses leading to the endorsement must be approved by the State Board of Education and must include classes in foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand‑along practicum. Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, psychologists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add‑on Reading Teacher licensure can take a content area reading course to obtain their Literacy Teacher add‑on endorsement. Teachers who have earned a master’s or doctorate in reading, who have earned a literacy teacher add‑on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, and South Carolina Reading Intervention, or another program approved by the State Board of Education in regulation, are exempt from this requirement.

(5) Beginning in Fiscal Year 2015‑2016, middle and secondary licensed classroom teachers are required to take at least two courses or six credit hours to improve reading instruction within five years of their most recent certification. The courses must be approved by the State Board of Education and include courses leading to the literacy teacher add‑on endorsement. Coursework in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Only certified teachers who have earned a master’s or doctorate in reading, who have earned a literacy teacher add‑on endorsement, or who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, and South Carolina Reading Intervention, or another program as approved by the State Board of Education in regulation, are exempt from this requirement.

(6) Beginning in Fiscal Year 2015‑2016, principals and administrators who are responsible for reading instruction or intervention in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office.

Section 59‑155‑190. Local school districts are encouraged to create family‑school‑community partnerships that focus on increasing the volume of reading, in school and at home, during the year and at home and in the community over the summer. Schools and districts should partner with county libraries, local arts organizations, faith‑based institutions, pediatric and family practice medical personnel, businesses, and other groups to provide volunteers, mentors, or tutors to assist with the provision of instructional supports, services, and books that enhance reading development and proficiency. A district shall include specific actions taken to accomplish the requirements of this section in its reading proficiency plan.

Section 59‑155‑200. The Read to Succeed Office and each school district must plan for and act decisively to engage the families of students as full participating partners in promoting the reading and writing habits and skills development of their children. With support from the Read to Succeed Office, districts and individual schools shall provide families with information about how children progress as readers and writers and how they can support this progress. This family support must include providing time for their child to read, as well as reading to the child. To ensure that all families have access to a considerable number and diverse range of books, schools should develop plans for enhancing home libraries and for accessing books from county libraries and school libraries and to inform families about their child’s ability to comprehend grade‑level texts and how to interpret information about reading that is sent home. The districts and schools shall help families learn about reading and writing through open houses, South Carolina Educational Television, video and audio tapes, websites, and school‑family events and collaborations that help link the home and school of the student. The information should enable family members to understand the reading and writing skills required for graduation and essential for success in a career. Each institution of higher learning may operate a year-round program similar to a summer reading camp to assist students not reading at grade level.

Section 59‑155‑210. The board and department shall translate the statutory requirements for reading and writing specified in this chapter into standards, practices, and procedures for school districts, boards, and their employees and for other organizations as appropriate. In this effort, they shall solicit the advice of education stakeholders who have a deep understanding of reading, as well as school boards, administrators, and others who play key roles in facilitating support for and implementation of effective reading instruction.”

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

“CHAPTER 156

Child Early Reading Development and Education Program

Section 59‑156‑10. There is created the South Carolina Child Early Reading Development and Education Program which is a full day, four‑year old kindergarten program for at‑risk children which must be made available to qualified children in all public school districts within the State. The program shall focus on:

(1) a comprehensive, systemic approach to reading that follows the State Reading Proficiency Plan and the district’s comprehensive annual reading proficiency plan, both adopted pursuant to Chapter 155, Title 59;

(2) successfully completing the readiness assessment administered pursuant to Section 59‑155‑150;

(3) the developmental and learning support that children must have in order to be ready for school;

(4) incorporating parenting education, including educating the parents as to methods that may assist the child pursuant to Section 59‑155‑110, 59‑155‑130, and 59‑155‑140; and

(5) identifying community and civic organizations that can support early literacy efforts.

Section 59‑156‑20. (A)(1) The South Carolina Child Early Reading Development and Education Program shall first be made available to eligible children from the following eight trial districts in Abbeville County School District et al. vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3.

(2) With any funds remaining after funding the eight trial districts, the program must be expanded to the remaining plaintiff school districts in Abbeville County School District et al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of ninety percent or greater. Priority must be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006‑2007 school year, then in the plaintiff districts having proportionally the largest population of underserved at‑risk four‑year‑old children.

(3) With any funds remaining after funding the school districts delineated in items (1) and (2), the program must be expanded statewide. The General Assembly, in the annual general appropriations bill, shall set forth the priority schedule, the funding, and the manner in which the program is expanded.

(B) Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers, especially reading barriers, may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

Section 59‑156‑30. (A) Each child residing in the program’s districts, who has attained the age of four years on or before September first of the school year and meets the at‑risk criteria, is eligible for enrollment in the South Carolina Child Early Reading Development and Education Program for one year.

(B) The parent of each eligible child may enroll the child in one of the following programs:

(1) a school‑year four‑year‑old kindergarten program delivered by an approved public provider; or

(2) a school‑year four‑year‑old kindergarten program delivered by an approved private provider.

The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child’s birth certificate, immunization documentation, and documentation of the student’s eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty‑five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of six and one‑half hours of instructional time daily and operates for a period of not less than one hundred eighty days a year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

(C)(1) No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this chapter. Nothing in this chapter prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

(2) If by October first of the school year at least seventy‑five percent of the total number of children eligible for the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program providers may then enroll pay‑lunch children who score at or below the twenty‑fifth national percentile on two of the three DIAL‑3 subscales and may receive reimbursement for these children if funds are available.

Section 59‑156‑40. (A) Public school providers participating in the South Carolina Child Early Reading Development and Education Program must submit an application to the Department of Education. Private providers participating in the South Carolina Child Early Reading Development and Education Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this section, and will comply with all reporting and assessment requirements.

(B) Providers shall:

(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;

(2) comply with all state and local health and safety laws and codes;

(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;

(4) be accountable for meeting the educational needs of the child and report at least quarterly to the parent or guardian on his progress;

(5) comply with all program, reporting, and assessment criteria required of providers;

(6) maintain individual student records for each child enrolled in the program, including, but not limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;

(7) designate whether extended day services will be offered to the parents and guardians of children participating in the program;

(8) be approved, registered, or licensed by the Department of Social Services; and

(9) comply with all state and federal laws and requirements specific to program providers.

(C) Providers may limit student enrollment based upon space available. However, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre‑kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

Section 59‑156‑50. The Department of Education, the Read to Succeed Office, and the Office of First Steps to School Readiness shall:

(1) develop the provider application form;

(2) develop the child enrollment application form;

(3) develop a list of approved research‑based preschool curricula for use in the program based upon the South Carolina Content Standards, and provide training and technical assistance to support its effective use in approved classrooms serving children;

(4) develop a list of approved pre‑kindergarten readiness assessments to be used in conjunction with the program, and provide assessments and technical assistance to support assessment administration in approved classrooms serving children;

(5) establish criteria for awarding new classroom equipping grants;

(6) establish criteria for the parenting education program providers must offer;

(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;

(8) develop a list of data collection needs to be used in implementation and evaluation of the program;

(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;

(10) establish criteria for granting student retention waivers; and

(11) establish criteria for granting classroom size requirements waivers.

Section 59‑156‑60. (A) Providers of the South Carolina Child Early Reading Development and Education Program shall offer a complete educational program in accordance with age‑appropriate instructional practice and a research‑based preschool curriculum aligned with school success. The program must focus on:

(1) a comprehensive, systemic approach to reading that follows the State Reading Proficiency Plan and the district’s comprehensive annual reading proficiency plan, both adopted pursuant to Chapter 155, Title 59;

(2) successfully completing the readiness assessment administered pursuant to Section 59‑155‑150;

(3) the developmental and learning support that children must have in order to be ready for school;

(4) incorporating parenting education, including educating the parents as to methods that may assist the child pursuant to Section 59‑155‑110, 59‑155‑130, and 59‑55‑140, including strengthening parent involvement in the learning process with an emphasis on interactive literacy; and

(5) identifying community and civic organizations that can support early literacy efforts.

(B) Providers shall offer high‑quality, center‑based programs, including, but not limited to, the following:

(1) employ a lead teacher with a two‑year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education for public schools or from the Office of First Steps to School Readiness for private centers;

(2) employ an education assistant with preservice or in‑service training in early childhood education;

(3) maintain classrooms with at least ten four‑year‑old children, but no more than twenty four‑year‑old children, with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case‑by‑case basis;

(4) offer a full day, center‑based program with six and one‑half hours of instruction daily for one hundred eighty school days;

(5) provide an approved research‑based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social and emotional development;

(6) engage parents’ participation in their child’s educational experience that shall include a minimum of two documented conferences per year; and

(7) adhere to professional development requirements outlined in this chapter.

Section 59‑156‑70. (A) Every classroom providing services to four‑year‑old children established pursuant to this chapter must have a qualified lead teacher and an education assistant as needed to maintain an adult to child ratio of 1:10.

(B)(1) In classrooms in private centers, the lead teacher must have at least a two‑year degree in early childhood education or a related field and who is enrolled and is demonstrating progress toward the completion of a teacher educational program within four years.

(2) In classrooms in public schools, the lead teacher must meet state requirements pertaining to certification.

(C) All education assistants in private centers and public schools must have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The assistant must have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to First Steps or the Department of Education, as applicable, and provide appropriate documentation as to the qualifications of the teaching assistant.

Section 59‑156‑80. The General Assembly recognizes there is a strong relationship between the skills and preparation of pre‑kindergarten instructors and the educational outcomes of students. To improve these educational outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Early Reading Development and Education Program to participate annually in a minimum of fifteen hours of professional development, including, teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age‑appropriate progress of pre‑kindergarten students in developing emergent literacy skills, including, but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. The Reading Proficiency Expert Panel shall make recommendations regarding the professional development.

Section 59‑156‑90. Both public and private providers are eligible for transportation funds for the transportation of children to and from school. Nothing within this section prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56‑5‑195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four‑year‑old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than one hundred eighty‑five dollars per student may be retained by the Department of Education for the purposes of transporting four‑year‑old students. This amount must be increased annually by the same projected rate of inflation as determined by the Division of Research and Statistics of the State Budget and Control Board for the Education Finance Act.

Section 59‑156‑100. For all private providers approved to offer services pursuant to this chapter, the Office of First Steps to School Readiness shall:

(1) serve as the fiscal agent;

(2) verify student enrollment eligibility;

(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider’s availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;

(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;

(5) serve as a clearing house for information and best practices related to four‑year‑old kindergarten programs;

(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;

(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four‑year‑old kindergarten programs;

(8) maintain a database of the children enrolled in the program; and

(9) promulgate guidelines as necessary for the implementation of the program.

Section 59‑156‑110. For all public school providers approved to offer services pursuant to this chapter, the Department of Education shall:

(1) serve as the fiscal agent;

(2) verify student enrollment eligibility;

(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider’s availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;

(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;

(5) serve as a clearing house for information and best practices related to four‑year‑old kindergarten programs;

(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;

(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four‑year‑old kindergarten programs;

(8) maintain a database of the children enrolled in the program; and

(9) promulgate guidelines as necessary for the implementation of the program.

Section 59‑156‑120. (A) Eligible students enrolling with private providers during the school year shall be funded on a pro‑rata basis determined by the length of their enrollment.

(B) Private providers transporting eligible children to and from school shall be eligible for a reimbursement of up to five hundred fifty dollars per eligible child transported, funded on a pro‑rata basis determined by the length of the child’s enrollment. Providers who are reimbursed are required to retain records as required by their fiscal agent.

(C) Providers enrolling between one and six eligible children shall be eligible to receive up to one thousand dollars per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed ten thousand dollars.

(D) Providers receiving equipment grants are expected to participate in the program and provide high‑quality, center‑based programs for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

Section 59‑156‑130. The Department of Social Services shall:

(1) maintain a list of all approved public and private providers; and

(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this chapter.

Section 59‑156‑140. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state‑funded programs provided through private providers.”

SECTION 3. This act takes effect upon approval by the Governor and is subject to the availability of state funding.

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