**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “ACADEMIC STANDARDS ACCOUNTABILITY ACT”; BY ADDING SECTION 59‑18‑355 SO AS TO PROVIDE THAT CERTAIN RECOMMENDED REVISIONS AND OTHER CHANGES OR ADDITIONS TO A STATEWIDE CORE ACADEMIC AREA CONTENT STANDARD THAT THE STATE BOARD OF EDUCATION OTHERWISE CONSIDERS FOR APPROVAL AS AN ACCOUNTABILITY MEASURE MUST RECEIVE BOTH THE ADVICE AND CONSENT OF THE EDUCATION OVERSIGHT COMMITTEE AND THE APPROVAL OF THE GENERAL ASSEMBLY BY JOINT RESOLUTION TO BE ADOPTED AND IMPLEMENTED, EXCEPT THAT GENERAL ASSEMBLY APPROVAL IS NOT NEEDED FOR A REVISION, CHANGE, OR ADDITION DEVELOPED BY THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE THAT CERTAIN RECOMMENDED REVISIONS AND OTHER CHANGES OR ADDITIONS TO STATEWIDE ACADEMIC ASSESSMENTS THAT THE BOARD OTHERWISE CONSIDERS FOR APPROVAL AS AN ACCOUNTABILITY MEASURE MUST RECEIVE THE ADVICE AND CONSENT OF THE COMMITTEE TO BE ADOPTED AND IMPLEMENTED, TO PROVIDE THE COMMITTEE AND THE DEPARTMENT SHALL NOTIFY THE GENERAL ASSEMBLY AND THE GOVERNOR BEFORE INITIATING A CHANGE TO AN EXISTING STATEWIDE ACADEMIC CONTENT STANDARD OR STATEWIDE ACADEMIC ASSESSMENT, AND TO PROVIDE THAT THE CODE SECTION MAY NOT BE INTERPRETED TO PREVENT THE DEPARTMENT, BOARD, AND COMMITTEE FROM CONSIDERING THE BEST PRACTICES IN EDUCATION STANDARDS AND ASSESSMENTS WHILE DEVELOPING ITS OWN STANDARDS; TO AMEND SECTION 59‑18‑320, AS AMENDED, RELATING TO THE REQUIREMENT THAT NEW STANDARDS AND ASSESSMENTS REQUIRED TO BE DEVELOPED AND ADOPTED BY THE STATE BOARD OF EDUCATION THROUGH THE DEPARTMENT OF EDUCATION FOR USE AS AN ACCOUNTABILITY MEASURE MUST BE DEVELOPED AND ADOPTED UPON THE ADVICE AND CONSENT OF THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO DELETE THE REQUIREMENT; AND TO AMEND SECTION 59‑18‑350, AS AMENDED, RELATING TO A MANDATORY CYCLICAL REVIEW OF STATE STANDARDS AND ASSESSMENTS, SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. This act must be known and may be cited as the “Academic Standards Accountability Act”.

SECTION 2. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑355. (A)(1) A revision to a state content standard recommended pursuant to Section 59‑18‑350(A), as well as a new standard or a change in a current standard that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the:

(a) advice and consent of the Education Oversight Committee; and

(b) approval by a Joint Resolution of the General Assembly.

(2) General Assembly approval required by item (1)(b) does not apply to a revision recommended pursuant to Section 59‑18‑350(A), other approval of a new standard, and other changes to an old standard if the revision, new standard, or changed standard is developed by the State Department of Education.

(B) A revision to an assessment recommended pursuant to Section 59‑18‑350(A), as well as a new assessment or a change in a current assessment that the State Board of Education otherwise considers for approval as an accountability measure, may not be adopted and implemented without the advice and consent of the Education Oversight Committee.

(C) Upon initiating a change to an existing 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.

(D) Nothing in this section may be interpreted to prevent the Department of Education, Board of Education, and Education Oversight Committee from considering best practices in education standards and assessments while developing its own standards and assessments.”

SECTION 3. Section 59‑18‑320 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“Section 59‑18‑320. (A) After the first statewide field test of the assessment program in each of the four academic areas, and after the field tests of the end of course assessments of high school credit courses, the Education Oversight Committee, established in Section 59‑6‑10, will review the state assessment program and the course assessments for alignment with the state standards, level of difficulty and validity, and for the ability to differentiate levels of achievement, and will make recommendations for needed changes, if any. The review will be provided to the State Board of Education, the State Department of Education, the Governor, the Senate Education Committee, and the House Education and Public Works Committee as soon as feasible after the field tests. The Department of Education will then report to the Education Oversight Committee no later than one month after receiving the reports on the changes made to the assessments to comply with the recommendations.

(B) After review and approval by the Education Oversight Committee, the standards based assessment of mathematics, English/language arts, social studies, and science will be administered to all public school students in grades three through eight, to include those students as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act. To reduce the number of days of testing, to the extent possible, field test items must be embedded with the annual assessments. In accordance with the requirements of the federal No Child Left Behind Act, science assessments must be administered annually to all students in one elementary and one middle school grade. The State Department of Education shall develop a sampling plan to administer science and social studies assessments to all other elementary and middle school students. The plan shall provide for all students and both content areas to be assessed annually; however, individual students, except in census testing grades, are not required to take both tests. In the sampling plan, approximately half of the assessments must be administered in science and the other half in social studies in each class. To ensure that school districts maintain the high standard of accountability established in the Education Accountability Act, performance level results reported on school and district report cards must meet consistently high levels in all four core content areas. The core areas must remain consistent with the following percentage weightings established and approved by the Education Oversight Committee: in grades three through five, thirty percent each for English/language arts and math, and twenty percent each for science and social studies; and in grades six through eight, twenty‑five percent each for English/language arts and math, and twenty‑five percent each for science and social studies. For students with documented disabilities, the assessments developed by the Department of Education shall include the appropriate modifications and accommodations with necessary supplemental devices as outlined in a student’s Individualized Education Program and as stated in the Administrative Guidelines and Procedures for Testing Students with Documented Disabilities.

(C) After review and approval by the Education Oversight Committee, the end of course assessments of high school credit courses will be administered to all public school students as they complete each course.

~~(D)~~ ~~Any new standards and assessments required to be developed and adopted by the State Board of Education, through the Department of Education for use as an accountability measure, must be developed and adopted upon the advice and consent of the Education Oversight Committee.~~”

SECTION 4. Section 59‑18‑350(A) of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

“(A) The State Board of Education, in consultation with the Education Oversight Committee, shall provide for a cyclical review by academic area of the state standards and assessments to ensure that the standards and assessments are maintaining high expectations for learning and teaching. At a minimum, each academic area should be reviewed and updated every seven years. After each academic area is reviewed, a report on the recommended revisions must be presented to the Education Oversight Committee and the State Board of Education for consideration. ~~After approval by the Education Oversight Committee and the State Board of Education, the recommendations may be implemented. However,~~ The previous content standards shall remain in effect until ~~approval has been given by both entities~~ the recommended revisions are adopted pursuant to Section 59‑18‑355. As a part of the review, a task force of parents, business and industry persons, community leaders, and educators, to include special education teachers, shall examine the standards and assessment system to determine rigor and relevancy.”

SECTION 5. This act takes effect upon approval by the Governor.

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