COMMITTEE REPORT

March 10, 2016

**H. 4718**

Introduced by Reps. Anthony, Hayes, Bingham, Erickson, Cobb‑Hunter, Bales, Allison, Burns, Brannon, Hiott, Robinson‑Simpson, Anderson, Long, Whitmire, Merrill, George, Knight, Gambrell, Simrill, W.J. McLeod, Bannister, Bernstein, Chumley, Clary, Clemmons, Dillard, Felder, Gagnon, Goldfinch, Henderson, Herbkersman, Hixon, Nanney, Pitts, Ridgeway, Ryhal, Sandifer, G.R. Smith, Stringer, Weeks, Wells and White

S. Printed 3/10/16--H.

Read the first time January 21, 2016.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4718) to amend the Code of Laws of South Carolina, 1976, by adding Section 59‑26‑45 so as to provide a person who has taught in the South Carolina, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑45. (A) A person is eligible for a South Carolina Retired Educator certificate if he:

(1) previously held a South Carolina renewable, professional educator certificate;

(2) is either a:

(i) retired member of the South Carolina Retirement System; or

(ii) current or former participant in the State Optional Retirement Program who would have met the eligibility requirements for retirement under the South Carolina Retirement System had he participated in that system rather than the State Optional Retirement Program.

(3) does not hold another valid South Carolina educator certificate.

(B) An initial retired educator certificate is valid for thirty years. A certificate may be renewed and is valid for ten years. To renew a retired educator certificate, an individual must submit a request for renewal to the State Department of Education. The department shall create forms and a process for submitting renewal requests.

(C) Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.

(D) An educator who works under the retired certificate must work under a letter of agreement.

(E) Nothing in this section exempts an educator from taking part in professional development that is required by the local school district.

(F) The State Board of Education shall develop guidelines for the implementation of this section.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have a nonrecurring impact to the general fund of $139,114 for FY 2016-17. There is no recurring expenditure impact to the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill would exempt teachers who have taught collectively for a twenty-year period from the credential renewal process at the request of the teacher. Those credentials remain subject to revocation or suspension for disciplinary action.

The State Department of Education indicates that this bill would require reprogramming of the current educator database to create a new credential type. The department estimates a nonrecurring expenditure of $139,114 for programming costs associated with adding a new credential type for fiscal year 2016-17. Currently, there are 33,177 educators with twenty or more years of service. There is a potential increase in processing time to evaluate each educator’s experience in order to determine eligibility for this type of certification. There is no recurring expenditure impact to the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑26‑45 SO AS TO PROVIDE A PERSON WHO HAS TAUGHT IN THE SOUTH CAROLINA PUBLIC SCHOOL SYSTEM FOR AT LEAST TWENTY YEARS COLLECTIVELY WHILE HOLDING A TEMPORARY OR PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION THROUGHOUT THIS TWENTY YEAR PERIOD IS NOT REQUIRED TO RENEW THESE CREDENTIALS TO MAINTAIN THEIR VALIDITY, AND TO PROVIDE THE CREDENTIALS REMAIN SUBJECT TO REVOCATION OR SUSPENSION FOR A DISCIPLINARY ACTION, TO PROVIDE THE DEPARTMENT SHALL DETERMINE WHETHER A TEACHER MEETS THESE CRITERIA BEFORE THE EXEMPTION MAY BE APPLIED TO THE TEACHER, AND TO PROVIDE THIS DETERMINATION ONLY MAY BE MADE AT THE REQUEST OF THE TEACHER, WHO MUST INITIATE THE PROCESS TO RECEIVE THE EXEMPTION.

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

SECTION 1. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑45. A person who has taught in the South Carolina public school system for at least twenty years collectively while holding a temporary or professional certificate issued by the South Carolina Department of Education throughout this twenty year period, is exempt from the credential renewal process and is not required to renew these credentials to maintain their validity. Teaching credentials that are exempt from renewal requirements pursuant to this section, remain subject to revocation or suspension by the department for a disciplinary action. The department shall determine whether a teacher meets these criteria before the exemption may be applied to the teacher. This determination only may be made at the request of the teacher, who must initiate the process to receive the exemption.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑