**A** **BILL**

TO AMEND SECTION 59‑156‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM IN SCHOOL DISTRICTS, SO AS TO EXPAND THE PROGRAM IN THE 2015‑2016 SCHOOL YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON THE DISTRICT’S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2016‑2017 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN, REGARDLESS OF FINANCIAL ELIGIBILITY, WITHIN FIVE YEARS OF THE PROGRAM BEING EXPANDED TO ALL DISTRICTS; TO AMEND SECTION 59‑156‑130, RELATING TO A CHILD’S ELIGIBILITY, SO AS TO MAKE A CONFORMING AMENDMENT; TO AMEND SECTION 59‑156‑140, RELATING TO PROVIDER APPLICATIONS, SO AS TO MAKE A CONFORMING AMENDMENT; AND TO AMEND SECTION 59‑156‑220, RELATING TO FUNDING OF THE PROGRAM, SO AS TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2015‑2016 SCHOOL YEAR.

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

SECTION 1. Section 59‑156‑120(A) of the 1976 Code, as added by Act 284 of 2014, is amended to read:

“(A)(1) In the 2015‑2016 school year, the South Carolina Child Early Reading Development and Education Program ~~first~~ must continue to be made available to eligible children from the school districts in which the program was available in the 2014‑2015 school year ~~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,~~ Additionally, in the 2015‑2016 school year, 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~~ qualified children residing in other school districts, with the program being expanded to every qualified child in all school districts by the 2016‑2017 school year. The program must be expanded to the remaining school districts ~~with a~~ based on the school district’s 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~~ percentage, with expansion first in the school districts with the highest percentage.

(2) No later than five school years following the program being expanded to every eligible child in all school districts, the program must be expanded further to include all children, regardless of financial eligibility, in all public school districts in this State.

(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.”

SECTION 2. Section 59‑156‑130(B)(2) of the 1976 Code, as added by Act 284 of 2014, is amended to read:

“(2) 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. The provisions of this subsection regarding annual family income and Medicaid eligibility no longer apply upon the applicability of Section 59‑156‑120(A)(2).”

SECTION 3. Section 59‑156‑140(C) of the 1976 Code, as added by Act 284 of 2014, is amended to read:

“(C) Providers may limit student enrollment based upon space available, but, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers must not be required to expand their programs to accommodate all children desiring enrollment, but are encouraged to keep a waiting list for students they are unable to serve because of space limitations. Upon the applicability of Section 59‑156‑120(A)(2), this subsection only applies to private providers.”

SECTION 4. Section 59‑156‑220(A) of the 1976 Code, as added by Act 284 of 2014, is amended to read:

“(A) The General Assembly shall provide funding for the South Carolina Child Early Reading Development and Education Program in the annual general appropriations act. For the 2015‑2016 school year, the funded cost per child shall be the same as in 2014‑2015, plus an inflation adjustment, and increased annually thereafter by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act. Eligible students enrolling with private providers during the school year must be funded on a pro rata basis determined by the length of their enrollment.”

SECTION 5. This act takes effect upon approval by the Governor and each expansion contained in Section 59‑156‑120 must be implemented upon available and sufficient funding as provided by the General Assembly in the annual general appropriations act.

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