**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO CREATE THE SOUTH CAROLINA OUT‑OF‑SCHOOL TIME VOLUNTARY RECOGNITION PROGRAM, TO CREATE A VOLUNTARY RECOGNITION PROGRAM FOR HEALTHY OUT‑OF‑SCHOOL TIME PROVIDERS TO IMPLEMENT EVIDENCE‑BASED HEALTHY EATING AND PHYSICAL ACTIVITY AND BEST PRACTICE STANDARDS, TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF EDUCATION TO DEVELOP A PROCESS TO RECOGNIZE OUT‑OF‑SCHOOL TIME PROVIDERS AND TO PERFORM OTHER DUTIES, TO REQUIRE OUT‑OF‑SCHOOL TIME PROVIDERS TO SUBMIT A SELF‑ASSESSMENT TO DEMONSTRATE COMPLIANCE WITH BEST PRACTICE STANDARDS, TO ESTABLISH THE HEALTHY OUT‑OF‑SCHOOL TIME PROGRAM FUND TO OPERATE AND ADMINISTER THE PROGRAM, AND FOR OTHER PURPOSES.

Whereas, childhood obesity has more than doubled in children and tripled in adolescents in the past thirty years; and

Whereas, in South Carolina, two out of three adults, more than thirty percent of high school age children, and one in three low‑income children ages two to five years old are overweight or obese; and

Whereas, the costs of obesity in South Carolina are approximately eight and one‑half billion each year and increasing in health care costs, contributing to debilitating yet preventable diseases such as heart disease, cancer, stroke, and diabetes; and

Whereas, twenty‑three percent of all teens in the United States have diabetes or are pre‑diabetic. Obesity is a leading modifiable risk factor contributing to the growing number of children with type two diabetes; and

Whereas, overweight and obese children face increased incidence of various health‑related conditions, such as increased risk of heart disease, diabetes, high blood pressure, some forms of cancer, and other chronic diseases; and

Whereas, afterschool programs and camps in South Carolina serve over one hundred thousand children and youth each year, who spend up to fifteen hours per week in afterschool and other out‑of‑school time activities when school is in session, and as many as forty hours per week during the summer or other extended school breaks; and

Whereas, multiple studies, including research from the University of South Carolina Arnold School of Public Health, have found that out‑of‑school time programs can play an important role making modest improvements in unhealthy weight gain in children and youth; and

Whereas, research shows that quality afterschool programs and camps help working families with children and can boost students’ academic achievement rates, promote positive emotional and social development, reduce risky behaviors, and promote overall health and wellness for children and youth who participate in these programs; and

Whereas, the implementation of healthy eating and physical activity standards and practices in afterschool and camp settings is a recognized strategy for promoting health equity and addressing food‑based health disparities; and

Whereas, the General Assembly is committed to addressing the childhood obesity epidemic and to enact policies that will assist all students in reaching their full academic potential because a child’s health impacts school attendance, readiness to learn, potential learning, and achievement. Now, therefore,

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

SECTION 1. Chapter 10, Title 59 of the 1976 Code is amended by adding:

“Article 5

South Carolina Healthy Out‑of‑School Time Voluntary Recognition Program

Section 59‑10‑510. For purposes of this article:

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

(2) ‘Low Performing Areas’ means children and families served by programs located in and primarily serving the State Priority Schools, those schools which have an absolute rating of 2.31 or lower (at‑risk) on the South Carolina State Report Card. These schools have failed to meet expected progress on student achievement as required by the Education Accountability Act (EAA).

(3) ‘ABC recipients’ mean persons eligible for the ABC (Advocates for Better Care) child care voucher program, parents who cannot afford child care and who are working, in school, in a training program, or receiving Family Independence services.

(4) ‘Out‑of‑school time’ means organized services to school age children and youth during nonschool hours for the purpose of care, supervision, enrichment, or education.

(5) ‘Program attendee’ means a child or youth enrolled in an out‑of‑school time program.

(6) ‘Recognition standards’ means the voluntary standards that must be met to obtain a recognition certificate.

Section 59‑10‑520. The department shall develop a process, to be administered on its publicly accessible website, to recognize out‑of‑school time providers that meet the recognition standards.

Section 59‑10‑530. The process developed pursuant to Section 59‑10‑520 must provide a mechanism for an out‑of‑school time provider to submit a self‑assessment demonstrating that the program meets the recognition standards, which are consistent with the National Afterschool Alliance standards and Healthy Programs, Healthy Children, Best Practices for South Carolina Out‑of‑School Time Providers.

Section 59‑10‑540. Any out‑of‑school time provider that meets the recognition standards may seek recognition through the process developed pursuant to Section 59‑10‑520 and create a recognition certificate, using a template created by the department. The certificate is valid for up to one year and shall expire on a date determined by the department. A provider may renew the recognition certificate if the provider verifies with the department that it continues to comply with the requirements of Section 59‑10‑530.

Section 59‑10‑550. (A) The department shall post information about the recognition program on the department’s publicly accessible website, including:

(1) resources and links that an out‑of‑school time provider may use to meet the recognition standards;

(2) a template that an out‑of‑school time provider may use to create a certificate, signed by the director of an out‑of‑school time program that describes the manner in which the program meets the recognition standards and expressly states that the out‑of‑school time provider has self‑certified that it meets the standards; and

(3) a list of out‑of‑school time providers that qualify for recognition under this program, including the date the program qualified for recognition, which must be easily accessible to the public through the department’s publicly accessible website and which regularly must be updated in a timely manner.

(B) The department shall develop and implement a process for providing minimal verification of self‑assessments submitted by out‑of‑school time programs applying for recognition, which may include a site visit or other form of review. At a minimum, the department shall review a random sample of program self‑assessments within thirty to sixty days of receipt.

Section 59‑10‑560. There is created a Healthy Out‑of‑School Time (HOST) Recognition Program fund within the department to provide one million dollars in funding for the department to operate and administer the program, and to provide funding for the department to implement the program, including providing technical assistance, monitoring, staff training, evaluation, and other applicable support to out‑of‑school time providers participating in the HOST Recognition Program, and to provide financial incentives, mini‑grants, or subsidies to support innovation, compliance, and training, and to incentivize participation. The moneys in the fund may be dedicated, statutory or discretionary, direct funds.

Section 59‑10‑570. (A) The department shall administer the HOST Recognition Program fund and monies allocated by the South Carolina General Assembly or donated, allotted, transferred, or otherwise provided to the HOST Recognition Program fund.

(B) The department may raise matching funds, promote the availability of the funding statewide, evaluate applicants, determine allowable expenses, and disburse funding and other awards. The department shall establish monitoring and accountability mechanisms for programs receiving funding. The department annually shall post on its publicly accessible website and report to the South Carolina General Assembly on the expenditure of the fund, including the total amount of funding distributed, the programs that received funding, and the amount of funding each program received and its evaluation results, if available.

(C) The department shall create eligibility guidelines consistent with this article and provide funding through a competitive, need‑based application process for grants and subsidies to incentivize or help providers meet and sustain compliance with the recognition standards. Priority must be given to providers located within the districts of schools on the department’s Priority Schools List, serving ABC recipients and accepting ABC vouchers, and/or that serve low‑income children through the National School Lunch Program, School Breakfast Program, Fresh Fruit and Vegetables Program, Special Milk Program, Child and Adult Care Food Program, Summer Food Services Programs, and/or Child Care and Development Block Grants, as well as to providers of 21st Century Community Learning Centers.

(D) The department shall develop a tiered system for the distribution of financial grants or subsidies to support and incentivize providers to meet the recognition standards. The funding guidelines must allow applicants to apply for funding based on need to implement the recognition standards in tiered, successive, or sequential steps to be determined by the department. Once funding or an award is received for the first tiered step, an applicant’s eligibility for each successive tier of funding or financial incentive and recognition must be contingent upon its successful completion of the prior tier.

Section 59‑10‑580. The department shall promulgate regulations and may adopt guidelines and policy to carry out the purpose of this article.”

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

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