**A** **BILL**

TO AMEND SECTION 59‑20‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEACHER SALARY REQUIREMENTS, SO AS TO REQUIRE EACH TEACHER BE PAID THE NATIONAL AVERAGE TEACHER SALARY INSTEAD OF THE SOUTHEASTERN AVERAGE, AND TO REQUIRE THE TRANSITION TO NATIONAL AVERAGE OCCUR OVER THE NEXT FIVE FISCAL YEARS; AND BY ADDING SECTION 11‑11‑120 SO AS TO REQUIRE THE REDUCTION OF THE APPROPRIATION OF CERTAIN FUNDS TO INCREASE TEACHER PAY TO THE NATIONAL AVERAGE.

Whereas, the South Carolina General Assembly has stated for years in the annual general appropriations act that “The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary”; and

Whereas, according to the State Department of Education the average teacher salary in South Carolina for Fiscal Year 2017 was $50,050; and

Whereas, according to data from the National Education Association (NEA), in 2016, the average teacher salary in the United States was $58,353 compared to $48,769 in South Carolina; and

Whereas, according to the 2016 Annual Survey of School System Finances, U.S. Census Bureau, South Carolina ranks 32nd nationally in total per pupil spending at $10,249 per pupil; and

Whereas, according to the NEA Collective Bargaining/Member Advocacy’s Teachers Salary Database, the 2016‑17 National Average Starting Teacher Salary was $38,617. The average starting teacher salary in South Carolina in the same period ranked 47th at $33,057; and

Whereas, according to the 2017‑18 SC Annual Educator Supply and Demand Report conducted by the Center for Educator Recruitment Retention and Advancement, 4,900 teachers left teaching during or at the end of the 2016‑17 school year. Of these 4,900 teachers, 35% had five or fewer years of classroom experience and 12% had only one year or less of experience; and

Whereas, in the annual general appropriations act for Fiscal Year 2018‑2019, total general fund appropriations to the Department of Education are just under $3.1 billion. Of this amount, the Education Finance Act (EFA) is appropriated $1.8 billion and EFA fringe is appropriated another $789 million. Thus, aside from EFA and fringe there is over $444 million general fund dollars appropriated to the Department of Education. This does not include the additional $837 million of Education Improvement Act (EIA) funds. In total, over and above EFA and fringe, there is more than $1.2 billion appropriated for K‑12; and

Whereas, according to the State Department of Education’s INSITE data, 48.4% of school district expenditures in Fiscal Year 2016‑17 were spent on instructional teachers; and

Whereas, while nonschool factors do influence student achievement, these factors are largely outside the control of schools or policymakers. However, the one school‑related factor that research consistently documents as having the largest impact on student achievement is a student’s teacher. A teacher is estimated to have two to three times the impact of any other school factor, including services, facilities, and leadership, on a student’s academic achievement. Teachers matter most. Now therefore,

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

SECTION 1. A. Section 59‑20‑50(4)(b) of the 1976 Code is amended to read:

“(b) The state minimum salary schedule must be based on the state minimum salary schedule index in effect as of July 1, 1984. In Fiscal Year 1985, the 1.000 figure in the index is $14,172. (This figure is based on a 10.27% increase pursuant to the South Carolina Education Improvement Act of 1984.) Beginning with Fiscal Year ~~1986~~ 2019‑2020, the 1.000 figure in the index must be adjusted on a schedule to stay at the ~~southeastern~~ national average as projected by the ~~Office of Research and Statistic of the~~ Revenue and Fiscal Affairs Office and provided to the General Assembly during their deliberations on the annual appropriations bill. The ~~southeastern~~ national average teacher salary is the average of the average teachers’ salaries of the ~~southeastern~~ fifty states and the District of Columbia. In projecting the ~~southeastern~~ national average, the office shall include in the South Carolina base teacher salary all local teacher supplements and all incentive pay. Under this schedule, school districts are required to maintain local salary supplements per teacher no less than their prior fiscal level. In Fiscal Year 1986 and thereafter teacher pay raises through adjustments in the state’s minimum salary schedule may be provided only to teachers who demonstrate minimum knowledge proficiency by meeting one of the following criteria:

(1) holding a valid professional certificate;

(2) having a score of 425 or greater on the Commons Examination of the National Teachers Examinations;

(3) meeting the minimum qualifying score on the appropriate area teaching examination; or

(4) meeting the minimum standards on the basic skills examinations as prescribed by the State Board of Education provided in Section 59‑26‑20.”

B. Notwithstanding the provisions of Section 59‑20‑50(4)(b), as amended by this act, the increase in the state minimum salary schedule caused by adjusting the schedule to stay at the national average instead of the southeastern average, must be implemented over a five‑year period in five equal installments, beginning in Fiscal Year 2019‑2020. The Revenue and Fiscal Affairs Office shall determine the amount of each installment by determining the difference between the projected national average to be in effect in Fiscal Year 2024‑2025 and the salary schedule in effect for Fiscal Year 2018‑2019, and then dividing by five. In the final installment, the installment amount may be adjusted to accurately reflect the actual national average for Fiscal Year 2024‑2025.

SECTION 2. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑120. (A) Beginning in the annual general appropriations act for Fiscal Year 2019‑2020, and for the next four succeeding fiscal years, the General Assembly must reduce general fund appropriations to K‑12 education by seventy‑five million dollars each year compared to the previous fiscal year. However, the General Assembly may not reduce general fund appropriations for EFA, EFA Fringe, EIA Teacher Salaries, or EIA Employee Contributions. To meet the requirements of this subsection, in the Department of Education’s annual budget request, the State Superintendent of Education must provide recommendations for the appropriate fund reductions. The provisions of this subsection shall remain in effect until June 30, 2024, or until the cumulative reductions required by this subsection equal three hundred seventy‑five million dollars.

(B) Beginning in the annual general appropriations act for Fiscal Year 2019‑2020, and for the next four succeeding fiscal years, the General Assembly must appropriate from the Education Lottery Account at least twenty‑five million additional recurring dollars for teacher salaries. This additional appropriation must be made in comparison to the amount appropriated for the same purpose in the previous fiscal year from any source. The provisions of this subsection shall remain in effect until June 30, 2024, or until the cumulative additional appropriations required by this subsection equal one hundred fifty million dollars.

(C) From the available general funds resulting from the general fund reductions made pursuant to subsection (A), and from the appropriations for teacher salaries made pursuant to subsection (B), the General Assembly shall appropriate funds to increase teacher salaries in accordance with Section 59‑20‑50(4).”

SECTION 3. This act takes effect upon approval by the Governor.

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