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COMMITTEE REPORT

January 14, 2020

**S. 419**

Introduced by Senators Hembree, Malloy, Turner, Setzler, Sheheen and Alexander

S. Printed 1/14/20--S.

Read the first time January 24, 2019.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 419) to amend the Code of Laws of South Carolina, 1976, so as to enact the “South Carolina Career Opportunity and Access for All Act”, 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 striking all after the enacting words and inserting:

/SECTION 1. This act must be known and may be cited as the “South Carolina Career Opportunity and Access for All Act”.

PART I

State Board of Education

SECTION 2. A. Section 59-5-10 of the 1976 Code is amended to read:

“Section 59-5-10. (A)(1) The State Board of Education shall be composed of one member from each judicial circuit. The members shall serve terms of four years and until their successors are elected and qualify, except of those first elected, the members from the fifth, tenth and fourteenth circuits shall serve terms of one year; the members from the first, sixth, eighth and twelfth circuits shall serve terms of two years and the members from the fourth, seventh, ninth and eleventh circuits shall serve terms of three years. The terms of all members shall commence on January first following their election.

(2) The legislative delegations representing the counties of each judicial circuit shall meet upon written call of a majority of the members of the delegations of each judicial circuit at a time and place to be designated in such call for the purpose of electing a member of the ~~Board~~ board to represent such circuit. A majority present, either in person or by written proxy, of the members of the county legislative delegations from a given circuit shall constitute a quorum for the purpose of electing a member, but no person ~~shall~~ may be declared elected who ~~shall fail~~ fails to receive a majority vote of all the members of the county legislative delegations from the circuit. The joint county legislative delegations of each circuit shall be organized by the election of a chairman and a secretary and such joint legislative delegations shall, subject to the provisions herein, adopt such rules as they ~~deem~~ consider proper to govern the election. Any absentee may vote by written proxy. When the election is completed, the chairman and secretary of the joint county legislative delegations of each circuit shall immediately transmit the name of the person elected to the Secretary of State who shall forthwith issue to such person, after he has taken the usual oath of office, a certificate of election as a member of the ~~State Board of Education~~ board. The Governor shall thereupon issue a commission to such person and pending such issuance the certificate of election shall be a sufficient warrant to such person to perform all of the duties and functions of his office.

(3) Any vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(4) Representation of a given judicial circuit on the ~~State Board of Education~~ board shall be rotated among the counties of the circuit, except by unanimous consent of all members of the county legislative delegations from the circuit. No member shall succeed himself in office except by unanimous consent of the members of the county legislative delegations from the circuit. Members of the legislative delegation of any county entitled to a member of the ~~Board~~ board shall nominate persons for the office, one of whom shall be elected to the ~~Board~~ board.

(5) The ~~Board~~ board shall select its chairman and other officers to serve for such terms as the ~~Board~~ board may designate. Provided, the Superintendent of Education shall serve as secretary and administrative officer to the ~~Board~~ board. The ~~Board~~ board shall adopt its own rules and procedures. The chairman and other officers shall have such powers and duties as may be determined by the ~~Board~~ board not inconsistent with the law.

(6) At the initial meeting of the legislative delegations representing the counties of each circuit, it shall be determined by lot the sequence in which each county ~~shall be~~ is entitled to nominate persons for the office.

(B)(1) In addition to the members of the board provided in subsection (A), the board shall include three nonvoting advisory members appointed by the Governor to consist of:

(a) two public school students who shall serve a one-year term, one of whom must attend a school located in a Tier III or Tier IV county as designated in Section 12-6-3360, provided that:

(i) a member may not serve if he discontinues attending public school in this State; and

(ii) a vacancy must be filled for the remainder of the term by another public school student; and

(b) one former State Teacher of the Year who shall serve a two-year term, provided that a vacancy must be filled for the remainder of the term by another former State Teacher of the Year.

(2) A person may serve no more than two years as a nonvoting advisory member. A nonvoting advisory member may not serve as chairman of the board.

(C) In consultation with the Education and Economic Development Act Coordinating Council and the State Superintendent of Education, the board shall annually provide a comprehensive report to the Governor and the General Assembly before December first that specifically identifies key benchmarks within the zero-to-twenty education and workforce pipeline for measuring the progress of state agencies’ and other publicly funded entities’ efforts to meet those benchmarks. The board, through the State Superintendent of Education, shall provide recommendations regarding ways that state and local efforts can be improved, ways that collaboration and cooperation among state and local agencies and resources can be measurably improved, and efforts underway or being considered in other states that address the noted areas of concern. The State Superintendent of Education shall also recommend any legislation he considers necessary.”

B. Section 59-5-10(C) takes effect on January 1, 2022.

PART II

Coursework, Assessments, and Reporting

SECTION 3. A. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59‑29‑250. (A) At least every five years, the State Board of Education shall conduct a cyclical review of grade-appropriate standards for computer science, computational thinking, and computer coding for grades nine through twelve. Experts and officials from higher education, business, and industry must be included in the development of the standards.

(B) Each public high school and public charter high school must offer at least one computer science course that:

(1) is rigorous and standards‑based;

(2) meets or exceeds the curriculum standards and requirements established by the State Board of Education;

(3) meets the needs of the diverse students who will pursue postsecondary education or who will enter careers in computer and information technology upon graduation; and

(4) is made available in a traditional classroom setting, dual enrollment course, blended learning environment, online‑based format, or other technology‑based format tailored to meet the needs of each participating student.

(C) The Department of Education shall:

(1) establish qualifications for and employ staff who are responsible for coordinating and leading the South Carolina Computer Science Education Initiative;

(2) support kindergarten through twelfth grade academic and computer science teachers in designing interdisciplinary, project‑based instruction and assignments that engage students in applying literacy, math, and computational thinking skills to solve problems;

(3) design career pathways that connect students to postsecondary programs, degrees, or credentials in high‑demand career fields, including, but not limited to, cybersecurity, information systems, informatics, computer engineering, and software development as identified by the Department of Commerce;

(4) offer professional development and teacher endorsements to teachers who will teach computer science;

(5) develop criteria for postsecondary computer science teacher preparation programs, in conjunction with the State Board of Education, which shall develop guidelines creating certification pathways for computer science teachers;

(6) develop guidelines for use by school districts and schools outlining the educational and degree requirements for computer science teachers;

(7) provide information and materials that identify emerging career opportunities in computer science and related fields to parents, students, teachers, and guidance counselors; and

(8) assist districts in developing partnerships with business, industry, higher education, and communities to provide afterschool and extracurricular activities that engage students in computer science.”

B. Section 59-29-250(B) takes effect upon approval by the Governor and must be completed by August 1, 2021.

C. Section 59-29-250(C) takes effect August 1, 2021.

SECTION 4. Section 59‑18‑310(B)(1) of the 1976 Code is amended to read:

“(B)(1) The statewide assessment program must include the subjects of English/language arts, mathematics, and science~~, and social studies~~ in grades three through eight, as delineated in Section 59‑18‑320, and end‑of‑course tests for courses selected by the State Board of Education and approved by the Education Oversight Committee for federal accountability, which award units of credit in English/language arts, mathematics, and science~~, and social studies~~. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.”

SECTION 5. Section 59-18-320(B) of the 1976 Code is amended to read:

“(B) After review and approval by the Education Oversight Committee, and pursuant to Section 59‑18‑325, the standards‑based assessment of mathematics, English/language arts, ~~social studies,~~ and science will be administered for accountability purposes 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. 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. 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.”

SECTION 6. Section 59‑18‑325(C)(3) of the 1976 Code is amended to read:

“(3) ~~Beginning with the 2017‑2018 School Year, the~~ The department shall procure and administer the standards‑based assessments of mathematics and English/language arts to students in grades three through eight. The department also shall procure and administer the standards‑based assessment in science to students in grades four~~,~~ and six~~, and eight, and the standards‑based assessment in social studies to students in grades five and seven~~.”

SECTION 7. A. Article 3, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59-18-365. (A) For the purposes of monitoring student progress and tracking growth toward college and career readiness, the department shall track student performance from kindergarten through the twelfth grade in reading and mathematics along a common, consistent scale that is nationally recognized and approved by the Education Oversight Committee. At least annually, and before August fifteenth, the department shall provide the resulting measures of student performance to parents and teachers. These measures must be designed to help parents and teachers better understand which skills and concepts a student is ready to learn and to help to form instruction, track growth, and identify appropriate resources for students. A local school district shall also provide information on Lexile and Quantile measures on interim or benchmark assessments administered by the local school district or local school during the school year.

(B) The department shall provide online and printed resources for assisting parents in improving student growth in reading and mathematics to ensure all students graduate with the skills necessary to be college and career ready. Parent resources must include information that identifies the Lexile and Quantile scores recommended for specific careers.

(C) The department shall provide resources to assist teachers in using common, consistent scale measures to improve the teaching and learning of reading and mathematics.

(D) The formative assessments adopted pursuant to Section 59‑18‑310(D) shall be linked to common, consistent scales in reading, mathematics, or both. Formative assessments approved pursuant to Section 59‑18‑310 must provide a common, consistent scale in reading, mathematics, or both.

(E)(1) In kindergarten through the second grade, local schools and districts may select assessments designed to measure students’ reading and mathematical performance on common, consistent scales. Those measures should then be reported to the department and also shared with students, parents, and teachers.

(2) In the third grade through the eighth grade, the statewide summative assessment program in English/language arts and mathematics that is administered pursuant to Section 59‑18‑325(C)(1) must provide Lexile measures that report information on the student’s reading ability and Quantile measures that indicate the student’s understanding of mathematical skills and concepts at the individual student level.

(3) Assessments offered and administered at the high school level pursuant to Section 59‑18‑325(A) and the end-of-course assessments administered pursuant to Section 59‑18‑320(C) should, if available, measure students’ reading ability and mathematical understanding on the same Lexile and Quantile scales. Those measures must be reported to the department and shared with students, parents, and teachers.

(F) The department and State Board for Technical and Comprehensive Education shall establish common minimum admission standards, to include high school equivalency standards, sufficient to negate the need for a student to attend or enroll in reading or mathematics remediation at the postsecondary level.”

B. Section 59-18-365(A) takes effect August 1, 2021.

C. Section 59-18-365(F) takes effect January 1, 2022.

SECTION 8. Section 59-18-1950(B)(1) of the 1976 Code is amended to read:

“(B)(1) The Revenue and Fiscal Affairs Office, working with the Office of First Steps to School Readiness, the South Carolina Department of Education, the South Carolina Commission on Higher Education, the Department of Social Services, the South Carolina Technical College System, the Department of Commerce, the Department of Employment and Workforce, and other state agencies or institutions of higher education, shall develop, implement, and maintain a universal identification system that includes, at a minimum, the following information for measuring the continuous improvement of the state public education system and the college and career readiness and success of its graduates:

(a) students graduating from public high schools in the State who enter postsecondary education ~~without the need for remediation~~;

(b) students graduating from public high schools in the State who enter postsecondary education with a need for remediation;

(c) working‑aged adults in South Carolina by county who possess a postsecondary degree or industry credential;

~~(c)~~(d) high school graduates who are gainfully employed in the State within five and ten years of graduating from high school; ~~and~~

~~(d)~~(e) outcome data regarding student achievement and student growth that will assist colleges of education in achieving accreditation and in improving the quality of teachers in classrooms.”

SECTION 9. A. Chapter 156, Title 59 of the 1976 Code is amended by adding:

“Section 59‑156‑250. (A) As a component of a Kindergarten Readiness Program Report, the Education Oversight Committee shall annually provide the following information, relying on data and information submitted by the Office of First Steps to School Readiness, the State Department of Education, and the Department of Social Services, at the district and the state level:

(1) the number of four‑year‑old children eligible for the South Carolina Child Early Reading Development and Education Program and the number of four‑year‑old children enrolled in, and the number funded, at the forty‑fifth and one hundred thirty‑fifth days of the program, provided that this information must be reported by the school district and the Office of First Steps through its four-year-old kindergarten providers and must include the number of children served by state‑funded public and private providers;

(2) kindergarten readiness assessment scores by district, differentiated by state‑funded public and private four-year-old kindergarten providers, and Head Start or ABC Voucher programs;

(3) the number of four-year-old kindergarten classrooms and spaces added in each of the previous five school years by level of quality;

(4) the number of four-year-old kindergarten classrooms that are considered to be high quality, and the basis for this determination;

(5) the number of spaces available to serve four‑year‑old children, the number of openings available, and the number of children on a waitlist as of August first for four-year-old kindergarten in the upcoming school year; and

(6) a detailed plan for increasing the number of students served throughout the State, with an emphasis on districts in Tier III and IV counties as determined in Section 12‑6‑3360, and waitlist information pursuant to item (5).

(B) As reasonable and necessary, and to the extent possible, data and information for programs funded by local school districts and by the Education Improvement Act shall be provided and included in the reporting required pursuant to this section.

(C) The Education Oversight Committee shall annually submit a Kindergarten Readiness Program Summary Report to the General Assembly. If funding is provided, then a Kindergarten Readiness Comprehensive Analysis Report may be submitted at least every three years to satisfy this reporting requirement. The information pursuant to subsections (A) and (B) must be included in the annual report submitted, which shall also include year‑over‑year trend information.”

B. Section 59-156-250(C) takes effect January 15, 2021.

SECTION 10. A. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59-29-17. Each high school shall offer a one-half credit course in personal finance as an elective that students may use to complete graduation requirements. The curriculum for this course option as a partial graduation requirement shall incorporate competencies pursuant to Financial Literacy Instruction in Act 38 of 2005.”

B. The State Department of Education shall develop the curriculum for coursework pursuant to Section 59-29-17, as added by this SECTION, before July 1, 2021.

C. This SECTION takes effect August 1, 2021.

PART III

Read to Succeed Initiative

SECTION 11. Section 59-155-110(4) of the 1976 Code is amended to read:

“(4) each student receives targeted, effective, ~~comprehension~~ support in reading comprehension from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade‑level texts;”

SECTION 12. Section 59-155-120(5) and (10) of the 1976 Code is amended to read:

“(5) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add‑on literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education. An intervention must be evidence‑based and follow the multi‑tiered system of supports or ‘MTSS,’ as defined in Section 59‑33‑510(3), and the Response to Intervention or ‘RTI,’ as defined in Section 59‑33‑510(4). Reading interventionists may not be required to perform administrative functions that will confuse their role for teachers. Reading interventionists are not English for Speakers of Other Languages teachers and may not be required to provide direct instruction to English-language learners.”

“(10) ‘Substantially fails to demonstrate third‑grade reading proficiency’ means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the statewide summative ~~reading~~ assessment ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~ in English/language arts, qualifying the student as eligible for retention pursuant to Section 59‑155‑160(A).”

SECTION 13. Section 59-155-130(3) and (4) of the 1976 Code is amended to read:

“(3) working collaboratively with institutions of higher ~~learning~~ education offering courses in reading and writing and those institutions of higher education offering accredited master’s degrees in reading‑literacy to design coursework leading to a literacy teacher add‑on endorsement by the State. The coursework must be founded on scientifically based reading practices and evidence‑based interventions, including the use of data to identify struggling readers and inform instruction;

(4) providing professional development on scientifically based reading practices and evidence‑based interventions, including the use of data to identify struggling readers and inform instruction in reading and coaching for already certified reading/literacy coaches and literacy teachers;”

SECTION 14. Section 59-155-140(B)(2)(a) of the 1976 Code is amended to read:

“(a) document the reading and writing assessment and instruction planned for all PK‑12 students and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑level texts. Supplemental instruction ~~shall~~ must be provided by teachers who have a literacy teacher add‑on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or ~~both~~ through any combination of these strategies;”

SECTION 15. A. Section 59-155-150 (B) of the 1976 Code is amended to read:

“(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon ~~formal diagnostic assessments or through teacher observations~~ the universal screening process, as defined in Section 59‑33‑510(7), and, if indicated, diagnostic assessments and teacher observations, must be provided intensive in‑class and supplemental reading intervention immediately upon determination. These assessments may be used to satisfy the screening requirements provided in Article 5, Chapter 33 of this title. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. ~~These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in‑class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade‑level independently.~~ In addition, the parent or guardian of the student must be notified, in writing, of the child’s inability to read grade‑level texts, the interventions to be provided, and the child’s reading abilities at the end of the planned interventions. The intensity and duration of the intervention must be appropriate to meet the specific needs of each student to ensure that the student is on track to be reading on grade level by the end of the third grade. In addition to students enrolled in the third grade and pursuant to Section 59‑155‑160(C), each district must offer a summer reading camp as an intervention for any student enrolled in the first or second grade who is substantially not demonstrating proficiency in reading, based upon the universal screening process, as defined in Section 59‑33‑510(7), and, if indicated, diagnostic assessments and teacher observations, at no cost to the student. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office.”

B. Section 59-155-150 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( ) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty-day school attendance requirement for kindergarten students for the purpose of scheduling a readiness assessment. Upon approval of the waiver request, the approved school may stagger administering the readiness assessment to kindergarten students during the first five days of the academic year.”

SECTION 16. Chapter 155, Title 59 of the 1976 Code is amended by adding:

“Section 59‑155‑155. (A) For the purposes of this section, ‘literacy’ means the ability to read and write, and ‘numeracy’ means fluency in understanding numbers and mathematical operations.

(B)(1) The board shall approve no more than five reliable and valid early screening instruments for selection and use by school districts, pursuant to the district universal screening process, as defined in Section 59‑33‑510(7), in kindergarten through the third grade. At a minimum, the approved screening instruments shall include literacy and numeracy.

(2) An early literacy screening instrument must:

(a) provide screening and diagnostic capabilities for monitoring student progress in reading;

(b) at a minimum, measure phonological awareness, decoding and encoding, fluency, vocabulary, and comprehension; and

(c) identify students who have a reading deficiency, including students with characteristics of dyslexia.

(3) An early numeracy screening instrument must provide screening and diagnostic capabilities.

(4) In determining which instruments to approve, the board shall consider, at a minimum, the following factors:

(a) the amount of time that the instrument requires, with the intention of minimizing the impact on instructional time;

(b) the level of integration of results with instructional support for teachers and students;

(c) the timeliness in reporting results to teachers, administrators, and parents; and

(d) the level of integration of results with instructional support for teachers and pupils.

(C) A district shall administer one or more screening instruments in the first thirty days of the school year and repeat this process, if indicated, pursuant to the universal screening process defined in Section 59‑33‑510(7), which may be used to determine student progress in reading and numeracy in kindergarten through the third grade. Contingent upon funding being provided by the General Assembly, the department shall reimburse districts for the cost of the instrument or instruments selected upon receipt of the assessment data used in the progress monitoring system. All school districts must use one of the literacy and numeracy screening instruments selected by the department; however, no literacy or numeracy screening instrument or instruments must be used by school districts to determine if a student will be promoted to the next grade level. Classroom teachers must also be provided professional development by the department in administering instruments and in understanding the results so that the teachers can provide the appropriate evidence‑based intervention.

(D) A school district may submit a waiver to the board to use a screening instrument that is not on the approved list but meets minimum technical, administration, and content criteria as determined by the department.

(E)(1) The department shall:

(a) create an online reporting system to monitor the effectiveness of the early literacy or numeracy screening assessment instruments; and

(b) require school districts annually to submit data requested by the department, which may be used to determine whether the instruments are accurately identifying students in need.

(2) The online reporting system provided in item (1) must:

(a) track, screen, and monitor the early literacy and numeracy progress of students in kindergarten through the third grade toward third-grade reading proficiency and mathematics proficiency at the state, district, and school levels; and

(b) create a consistent statewide reporting mechanism to identify students with a reading deficiency, including students with dyslexia; and

(c) be used to receive the annual report required by Section 59‑33‑540.”

SECTION 17. A. Section 59-155-160 of the 1976 Code is amended to read:

“Section 59-155-160. (A) ~~Beginning with the 2017‑2018 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative reading assessment that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~ A student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative assessment in English/language arts, which indicates that the student needs substantial academic support to be prepared for the next grade level. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose individual education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose Individual Education Plan or Section 504 Plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who demonstrate third‑grade reading proficiency on the spring or summer administration of an alternative assessment approved by the department ~~board and which teachers may administer following the administration of the state assessment of reading~~;

(4) who have received two years of reading intervention and were previously retained;

(5) ~~who through a reading portfolio document, the student’s mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the state English/language arts standards that are assessed by the grade three state reading assessment. The Read to Succeed Office shall develop the assessment tool for the student portfolio; however, the student portfolio must meet the following minimum criteria:~~

~~(a)~~ ~~be selected by the student’s English/language arts teacher or summer reading camp instructor;~~

~~(b)~~ ~~be an accurate picture of the student’s ability and only include student work that has been independently produced in the classroom;~~

~~(c)~~ ~~include evidence that the benchmarks assessed by the grade three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or teacher‑prepared assessments;~~

~~(d)~~ ~~be an organized collection of evidence of the student’s mastery of the English/language arts state standards that are assessed by the grade three state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and~~

~~(e)~~ ~~be signed by the teacher and the principal as an accurate assessment of the required reading skills~~ who, through a reading portfolio, are documented to be reading on grade level and have mastered the third-grade English/language arts standards. A student portfolio for promotion to the fourth grade must:

(a) consist only of grade‑level work selected by the student’s teacher from portfolio requirements;

(b) be an accurate representation of the student’s reading ability and only include student work that has been independently produced in the classroom;

(c) include clear evidence that the standards assessed by the third-grade English/language arts assessment have been met. This clear evidence:

(i) must include multiple choice items and passages that are approximately fifty percent literary text and fifty percent informational text and that are at least an average of five hundred words; and

(ii) could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or district or teacher‑prepared assessments that meet standards developed and reviewed by the department;

(d) be an organized collection of evidence of the student’s mastery of the state English/language arts standards that are assessed by the third-grade statewide English language arts assessment. For each standard, there must be at least five work samples of mastery in which the student attained a grade of seventy or higher. Demonstrating mastery of each standard is required; and

(e) be signed by the student’s teacher and the principal of the school, both attesting that the portfolio is an accurate assessment of the reading achievement level of the student and that the student possesses the required reading skills to be promoted to the fourth grade; and

(6) who successfully participate in a summer reading camp at the conclusion of the third grade year and demonstrate through either a reading portfolio or through a norm‑referenced, alternative assessment, selected from a list of norm‑referenced, alternative assessments approved by the Read to Succeed Office for use in the summer reading camps, that the student’s mastery of the state standards in reading is equal to at least a level above the lowest level on the state ~~reading~~ assessment in English/language arts.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student’s academic record. This evidence must be limited to the student’s individual education program, alternative assessments, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

(4) A parent or legal guardian may appeal the decision to retain a student to the district superintendent if there is a compelling reason why the student should not be retained. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a decision and provide copies to the parent or legal guardian and the principal.

(5) Each school district superintendent shall annually submit a report including the following information at the school and the district level, for the academic year just completed, to its district board and to the department:

(a) the total number of retention exemptions granted pursuant to this section;

(b) the number of appeals made and the number of appeals granted pursuant to this section;

(c) the academic outcome of students pursuant to subitems (a) and (b), including, but not limited to, state English/language arts summative assessment results in grades four through eight; and

(d) the information in subitems (a) through (c) for the current academic year and the two immediately preceding academic years.

(C)(1) Students eligible for retention under the provisions in Section 59‑155‑160(A) may enroll in a summer reading camp provided by their school district or a summer reading camp consortium to which their district belongs prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. The camps must be taught by compensated teachers who have at least an add‑on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts also may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith‑based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer reading camp.

(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and do not meet the good cause exemption. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59‑19‑90, except where a child is found to be reading below grade level in the first, second, or third grade and does not meet the good cause exemption.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and writing instruction, supplemental text‑based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The intensity and duration of the intervention must be appropriate to meet the specific needs of each student to ensure the student is on track to be reading at or above grade level by the end of the school year. The school must report to the Read to Succeed Office, through the online portal, on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third‑grade reading proficiency by the end of the second grading period of the third grade, then:

(1)(a) his parent or guardian timely must be notified, in writing, that the student is being considered for retention and a conference with the parent or guardian must be held prior to a determination regarding retention is made, and conferences must be documented;

(b) within two weeks following the parent/teacher conference, copies of the conference form must be provided to the principal, parent or guardian, teacher and other school personnel who are working with the child on literacy, and summary statements must be sent to parents or legal guardians who do not attend the conference;

(c) following the parent/teacher retention conference, the principal, classroom teacher, and other school personnel who are working with the child on literacy must review the recommendation for retention and provide suggestions for supplemental instruction; and

(d) recommendations and observations of the principal, teacher, parent or legal guardian, and other school personnel who are working with the child on literacy must be considered when determining whether to retain the student.

(2) The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced‑based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions shall be provided by reading interventionists in the classroom and supplementally by teachers with a literacy teacher add‑on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school as documented in the district reading plan, and may include book clubs, ~~or~~ summer reading camps, or any combination of these strategies.”

B. Section 59-155-160(A) takes effect August 1, 2020.

C. Section 59-155-160(B)(5) takes effect September 1, 2020.

SECTION 18. A. Section 59-155-180 of the 1976 Code is amended to read:

“Section 59-155-180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English/language arts, career and technology education, and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in prekindergarten through grade twelve, the State shall strengthen its pre‑service and in‑service teacher education programs.

(B)(1) ~~Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 School Year,~~ ~~all~~ All pre‑service teacher education programs including MAT degree programs must require all candidates seeking certification at the early childhood or elementary level to complete a twelve credit hour sequence in literacy that includes a school‑based practicum and ensures that candidates grasp the theory, research, and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of providing an effective intervention. All teacher preparation programs must be approved for licensure by the State Department of Education to ensure that all teacher education candidates possess the knowledge and skills to assist effectively all children in becoming proficient readers. The General Assembly is not mandating an increase in the number of credit hours required for teacher candidates, but is requiring that pre‑service teacher education programs prioritize their missions and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(2) ~~Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 School Year, all~~ All pre‑service teacher education programs, including MAT degree programs, must require all candidates seeking certification at the middle or secondary level to complete a six credit hour sequence in literacy that includes a course in the foundations of literacy and a course in content‑area reading. All middle and secondary teacher preparation programs must be approved by the department to ensure that all teacher candidates possess the necessary knowledge and skills to assist effectively all adolescents in becoming proficient readers. The General Assembly is not mandating an increase in the number of semester hours required for teacher candidates but rather is requiring that pre‑service teacher education programs prioritize their mission and resources so all middle and secondary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways and strategies are needed for developing this capacity.

(2) ~~A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job‑embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:~~

(a) ~~model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;~~

~~(b)~~ ~~facilitate study groups;~~

~~(c)~~ ~~train teachers in data analysis and using data to differentiate instruction;~~

~~(d)~~ ~~coaching and mentoring colleagues;~~

~~(e)~~ ~~work with teachers to ensure that research‑based reading programs are implemented with fidelity;~~

~~(f)~~ ~~work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms; and~~

~~(g)~~ ~~help lead and support reading leadership teams~~ All reading coaches funded wholly or partially with state funds will serve as a stable resource for professional development in an elementary school to build master teachers of reading school‑wide in order to improve student reading achievement. Reading coaches will support and provide initial and ongoing professional development to teachers in:

(i) the administration and analysis of screening, formative, diagnostic, and summative English/language arts assessments to guide instruction;

(ii) scientifically based reading instruction, including phonological awareness, phonics, fluency, vocabulary, comprehension, and the State’s English/language arts standards;

(iii) explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback; and

(iv) differentiated reading instruction and intensive intervention based on student needs.

(b) State‑funded reading coaches must have the following minimum qualifications:

(i) a bachelor’s degree and advanced coursework or professional development in reading. The board shall prescribe, by regulation, any coursework or professional development that a state‑funded reading coach is required to complete successfully;

(ii) three years of experience as a successful classroom literacy teacher;

(iii) knowledge of scientifically based reading research, special expertise in quality reading instruction and intervention, and knowledge of data analysis;

(iv) a strong knowledge base and experience in working with adult learners; and

(v) excellent communication skills, including outstanding presentation, interpersonal, and time management skills.

(c) The duties and responsibilities of a state‑funded reading coach must include:

(i) collaborating with the principal to create a strategic plan for coaching that includes specific support for students in poverty;

(ii) facilitating school‑wide professional development and study groups;

(iii) modeling effective reading instructional strategies for teachers;

(iv) coaching and mentoring teachers on a daily basis;

(v) facilitating data analysis discussions and supporting teachers with using data to differentiate instruction according to student needs; and

(vi) working with all teachers and prioritizing those teachers, activities, and roles that will have the greatest impact on student reading achievement, namely coaching and mentoring in classrooms, including exceptional needs student education, content area, and elective areas.

(d) Reading coaches may not be required to perform administrative functions inconsistent with their duties.

(e) School districts shall monitor the implementation and effectiveness of the literacy coach and ensure communication between the district, school administration, and literacy coach throughout the year.

(f) As a condition for receiving the state appropriation for reading coaches, the department shall screen and approve the hiring of all reading coaches in a school that has more than one‑third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment. In addition, each reading coach employed in, and the principal of, a school having more than one‑third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment shall attend professional development training provided by the department. The professional development for the principal and reading coach team must focus on the role of the reading coach in continuously improving reading, to include the role of the reading coach and strategic plans for the coach to support teachers, scientifically based reading research and evidence‑based interventions to be implemented in the school, and specific support for students in poverty.

(g) A school in which at least two-thirds of students met or exceeded expectations on the state summative assessment in English/language arts may submit, as part of its reading plan, a request to the department for flexibility to use its allocation to provide literacy support to students, which may include, but is not limited to: a reading coach, a literacy interventionist, or other supplemental services directed to students in need of interventions. This plan must be annually approved by the department as part of the district reading plan.

(3) The ~~reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments. By August 1, 2014, the department must publish guidelines that define the minimum qualifications for a reading coach. Beginning in Fiscal Year 2014‑2015, reading/literacy coaches are required to earn the add‑on certification within six years, except as exempted in items (4) and (5), by completing the necessary courses or professional development as required by the department for the add‑on. During the six‑year period, to increase the number of qualified reading coaches, the~~ Read to Succeed Office shall identify and secure courses and professional development opportunities to assist educators in becoming reading coaches and in earning the literacy add‑on endorsement. In addition, the Read to Succeed Office will establish a process through which a district may be permitted to use state appropriations for reading coaches to obtain in‑school services from department‑approved consultants or vendors, in the event that the school is not successful in identifying and directly employing a qualified candidate. Districts must provide to the Read to Succeed Office information on the name and qualifications of reading coaches funded by the state appropriations.

(4) ~~Beginning in Fiscal Year 2015‑2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add‑on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements~~ The board is authorized to approve guidelines on an annual basis for professional development, coursework, certification, and endorsement requirements for teachers of kindergarten through the twelfth grade, including special education teachers, interventionists, reading specialists, and administrators, whose responsibilities, either directly or indirectly, substantially relate to reading and literacy instruction, support, or interventions. The guidelines approved by the board shall also include the issuance of appropriate credit to individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program. Inservice hours earned through professional development ~~for the literacy teacher endorsement~~ must be used for renewal of teaching certificates in all subject areas. ~~The courses and professional development leading to the endorsement must be approved by the State Board of Education and must include foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand‑alone practicum. Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add‑on reading teacher certification can take a content area reading course to obtain their literacy teacher add‑on endorsement. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework required for the literacy teacher add‑on certificate.~~

(5) ~~Beginning in Fiscal Year 2015‑2016, middle and secondary licensed classroom teachers are required to take at least one course or three credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses and professional development must be approved by the State Board of Education and include courses and professional development leading to the literacy teacher add‑on endorsement. Coursework and professional development in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts the to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add‑on certificate~~ Early childhood, elementary, and special education teacher candidates seeking their initial certification in South Carolina must earn a passing score on a rigorous test of scientifically research‑based reading instruction and intervention and data‑based decision‑making principles as approved by the board. The objective of this item is to ensure that teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

(6) ~~Beginning in Fiscal Year 2015‑2016, principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office~~ The board shall approve guidelines and procedures to allow in-service educators the option of utilizing the test in item (5) to exempt requirements established by the board pursuant to item (4). As part of this process, the board shall set a minimum cut score that an in‑service educator must achieve in order to take advantage of this provision. An educator’s score on this assessment may not be used for evaluation purposes. Contingent upon funding by the General Assembly, this test shall be provided at no cost to the educator.

~~(7)~~ ~~The Read to Succeed Office shall publish by August 1, 2014, the guidelines and procedures used in evaluating all courses and professional development, including virtual courses and professional development, leading to the literacy teacher add‑on endorsement. Annually by January first, the Read to Succeed Office shall publish the approved courses and approved professional development leading to the literacy teacher add‑on endorsement.~~

(D)(1) The Commission on Higher Education, in consultation with the department, shall annually conduct an analysis to determine the effectiveness of each teacher education program in preparing teachers to diagnose a child’s reading problems and to provide small group and individual student interventions that are scientifically based and evidence‑based. The department shall provide this information to the Learning Disorders Task Force in Section 59‑33‑550. At a minimum, the analysis must evaluate each teacher education program as it relates to preparing teachers with knowledge and expertise in the six components of the reading process:

(a) comprehension;

(b) oral language;

(c) phonological awareness;

(d) phonics;

(e) fluency; and

(f) vocabulary.

(2) The Commission on Higher Education shall report the findings of its analysis conducted pursuant to item (1) and recommendations for improving teacher education programs to the Governor and to the General Assembly.”

B. Section 59-155-180(C)(2)(f) and (C)(4) takes effect August 1, 2020.

C. Section 59-155-180(C)(5) and (D)(1) takes effect July 1, 2021.

PART IV

Scholarships and Tuition Assistance

SECTION 19. A. Section 59‑104‑20 of the 1976 Code is amended to read:

“Section 59-104-20. (A) The Palmetto Fellows Scholarship Program is established to foster scholarship among the state’s post‑secondary students and retain outstanding South Carolina high school graduates in the State through awards based on scholarship and achievement. Measures must be taken to ensure equitable minority participation in this program. Recipients of these scholarships are designated Palmetto Fellows. Each Palmetto Fellow shall receive a scholarship in an amount not to exceed six thousand seven hundred dollars. These scholarships in combination with all other grants and scholarships shall not exceed the cost of attendance at the institution attended. The commission shall promulgate regulations and establish procedures to administer the program and request annual state appropriations for the program.

(B) Students, either new or continuing, must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug‑related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a Palmetto Fellows Scholarship, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug‑related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.

(C) Of the funds made available for higher education Palmetto Fellows Scholarships for any year, a percentage thereof must be allocated for students attending South Carolina independent colleges of higher learning in this State. This percentage must be equivalent to the percentage of the independent colleges’ share of the total South Carolina resident undergraduate full‑time enrollment (FTE) of all public and independent higher education institutions in South Carolina based on the previous year’s data as determined by the Commission on Higher Education and the South Carolina Tuition Grants Commission.

(D) After expending funds appropriated for Palmetto Fellows Scholarships from all other sources, there is automatically appropriated from the general fund of the State whatever amount is necessary to provide Palmetto Fellows Scholarships to all persons meeting the requirements of this section.

(E) A Palmetto Fellows Scholarship is available to an eligible resident student who attends or will attend an eligible ~~four‑year~~ public or independent institution.

(F) For purposes of subsection (E):

(1) ‘Public or independent institution’ means a:

(a) South Carolina public institution defined in Section 59‑103‑5~~, excluding a public two‑year or technical institution,~~ and an independent institution as defined in Section 59‑113‑50~~, excluding an eleemosynary junior or independent two‑year institution~~; or

(b) public or independent bachelor’s level institution chartered before 1962 whose major campus and headquarters are located within South Carolina.

(2) ‘Resident student’ means a:

(a) student who is either a member of a class graduating from a high school located in this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, or a student graduating from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent; and

(b) student classified as a resident of South Carolina for in‑state tuition purposes under Chapter 112 of this title at the time of enrollment at the institution.

(G)(1) In addition to qualifications established by regulation, to qualify for a Palmetto Fellows Scholarship, a student shall:

~~(1)~~(a) meet the following three criteria:

~~(a)~~(i) a minimum score of 1200 on the Scholastic Aptitude Test (SAT) or ~~an equivalent~~ a score of twenty-five on the ACT ~~score~~;

~~(b)~~(ii) a cumulative ~~3.5~~ 4.0 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year; and

~~(c)~~(iii) rank in the top six percent of the class at the end of the sophomore, junior, or senior year. When calculating eligibility for Palmetto Fellows Scholarships in schools where the top six percent of the graduating class is two students or less, the top two students must be considered for the scholarship regardless of class rank. The top six percent of the graduating class must meet all Palmetto Fellows Scholarship eligibility requirements in order to receive a scholarship. If the top six percent of the class is not a whole number of students, the Commission on Higher Education shall round up to the next whole number of students eligible; or

~~(2)~~(b) meet the following two criteria:

~~(a)~~(i) a minimum score of 1400 on the Scholastic Aptitude Test (SAT) or ~~an equivalent~~ a score of thirty-one on the ACT ~~score~~; and

~~(b)~~(ii) a cumulative ~~4.0~~ 4.3 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year.

(2) Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by the scholarship application deadline. For the purposes of meeting the rank criteria pursuant to this subsection, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the Palmetto Fellows Scholarship. Qualifications established by regulation must provide for the inclusion of three-plus-two programs, or non-traditional pathways that lead to the attainment of a bachelor’s degree or graduate degree.

(H) Notwithstanding another provision of law, a student who met the initial eligibility requirements to receive a Palmetto Fellows Scholarship Award as a senior in high school and has met the continuing eligibility requirements shall receive the award. A student who received a Palmetto Fellows Scholarship Award as a senior in high school but declined the award is eligible to reapply for the annual scholarship, providing he meets all of the initial and continuing academic eligibility requirements of the Palmetto Fellows program, if he transfers to a qualifying South Carolina institution of higher learning. The number of semesters or academic years a student attended an out‑of‑state institution are to be deducted from the number of semesters or academic years a student is eligible for the scholarship. All funding provided for Palmetto Fellows Scholarships regardless of its source or allocation must be used to implement the provisions of this subsection. A student who uses a Palmetto Fellows Scholarship to attend an eligible two‑year institution shall receive a maximum of four continuous semesters and may continue to use the scholarship to attend an eligible four‑year institution, subject to the maximum number of semesters for which the student may be eligible for the scholarship.

(I) The Commission on Higher Education shall, by regulation, define alternative qualifications for an exceptionally gifted student who is a resident of South Carolina and is accepted into an institution of higher learning without having attended or graduated from high school.

(J)(1) A student receiving a Palmetto Fellows Scholarship, in order to retain it, and a student currently enrolled in an eligible institution, in order to receive such a scholarship, must:

(a) earn a 3.0 cumulative grade point average on a 4.0 scale at the end of his freshman year and earn at least thirty credit hours; and

(b) for each year after his freshman year, earn a 3.0 cumulative grade point average on a 4.0 scale and earn at least thirty credit hours for the maximum number of semesters permitted at that institution by Section 59‑149‑60.

(2) For the purposes of Palmetto Fellows Scholarship eligibility, a cumulative grade point average calculation must be inclusive of a student’s grade point average at all public or independent institutions attended by the student.

(K) In the event that either the SAT or ACT changes its respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this chapter in order to ensure equivalency.”

B. The provisions of this SECTION do not apply to students in the senior class of the 2021-2022 School Year.

SECTION 20. A. Section 59‑149‑50 of the 1976 Code is amended to read:

“Section 59-149-50. (A)(1) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State;~~,~~ a student who has completed at least three of the final four years of high school within this State~~,~~; a home school student who has successfully completed a high school home school program in this State in the manner required by law~~,~~; a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent~~,~~; or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in‑state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a ~~3.0~~ 3.3 cumulative grade average on a 4.0 scale and have scored 1100 or better on the Scholastic Aptitude Test (SAT) or ~~have the equivalent ACT score~~ a score of twenty-two on the ACT or better,~~;~~ provided that, if the student is to attend such a public or independent two‑year college or university in this State, including a technical college, the SAT or ACT requirement does not apply. If a student chooses to attend such a public or independent institution of this State and does not make the required SAT or ACT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.

(2) In addition to the eligibility requirements of item (1), to be eligible for a LIFE Scholarship, a student who has graduated from a high school located in this State must have earned during his final year at least one unit of credit from among the courses listed within the Commission on Higher Education’s ‘College Preparatory Course Prerequisite Requirements,’ verification of which shall be evidenced by an easily identifiable and uniform notation developed by the Department of Education in consultation with the Commission on Higher Education. This notation shall be included on a student’s official high school transcript if the student earned at least one unit of eligible credit during his final year, as required by this item. A student subject to this additional eligibility requirement but whose official high school transcript does not contain this notation shall be deemed ineligible for a LIFE scholarship by the Commission on Higher Education. Dual enrollment may be utilized for the purposes of fulfilling this additional requirement. Qualifications established by regulation must provide for the inclusion of three-plus-two programs, or non-traditional pathways that lead to the attainment of a bachelor’s degree or graduate degree.

(B)(1) ~~Students~~ A student receiving a LIFE Scholarship, in order to retain it, and ~~students~~ a student currently enrolled in an eligible institution, in order to receive such a scholarship, must:

(a) earn a ~~3.0~~ 2.8 cumulative grade point average on a 4.0 scale at the end of his freshman year and earn at least thirty credit hours ~~each year~~; and

(b) for each year after the student’s freshman year, earn a 3.0 cumulative grade point average on a 4.0 scale and earn at least thirty credit hours for the maximum number of semesters permitted at that institution by Section 59‑149‑60.

(2) The cumulative grade point average calculation, for purposes of LIFE scholarship eligibility, must be inclusive of the student’s grade point average at all public or independent institutions attended by the student.

(C) Students who were LIFE Scholarship recipients seeking a degree at such a public or independent institution of this State ~~during their freshman or other year~~ who failed to earn a cumulative ~~3.0~~ grade point average as required by subsection (B) at the end of the term they attempted the requisite number of hours required by subsection (B) may regain eligibility if their cumulative grade average is a 3.0 at the end of the term they have attempted at least sixty hours if they are a sophomore or ninety hours if they are a junior.

(D)(1) ~~Beginning with school year 2002‑2003, an~~ An entering freshman at a four‑year institution to be eligible for a LIFE Scholarship in addition to the other requirements of this chapter shall meet two of the following three criteria:

~~(1)~~(a) have the grade point average required by this section;

~~(2)~~(b) have the Scholastic Aptitude Test (SAT) or equivalent ACT score required by this section;

~~(3)~~(c) be in the top thirty percent of his high school graduating class.

(2) For home school students and students whose high school graduating class is less than fifty students, the Commission on Higher Education may define alternative criteria for students to meet the requirement of item ~~(3)~~(c).

(3) After receipt of a LIFE Scholarship by an entering freshman ~~beginning with school year 2002‑2003~~, a student shall meet the criteria established in this chapter to retain or regain the scholarship.

(4) For an exceptionally gifted student who is accepted into college without having attended high school, the Commission on Higher Education shall define alternative criteria for the student to qualify for a LIFE Scholarship.

(E) In the event that either the SAT or ACT changes its respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this chapter in order to ensure equivalency.”

B. Section 59‑150‑370(C) of the 1976 Code is amended to read:

“(C) A student ~~is eligible to receive a SC HOPE Scholarship if he meets the criteria for receiving and maintaining the Legislative Incentives for Future Excellence (LIFE) Scholarship except that a~~ must have graduated from high school with a minimum of a 3.3 cumulative grade point average on a 4.0 scale to be eligible to receive an SC HOPE Scholarship. A minimum Scholastic Aptitude Test (SAT) or ACT score and requisite class rank are not required for eligibility for the SC HOPE Scholarship. These SC HOPE Scholarships must be granted and awarded as provided in this section.”

C. The provisions of this SECTION do not apply to students in the senior class of the 2020‑2021 School Year.

SECTION 21. A. Section 59-150-360(A) and (F) of the 1976 are amended to read:

“Section 59-150-360. (A)(1) A person who qualifies for in‑state tuition rates pursuant to Chapter 112, Title 59 may receive tuition assistance to attend a technical college of this State or a public two‑year institution of higher learning. A person who qualifies for in‑state tuition rates pursuant to this title may attend an independent two‑year institution of higher learning and receive lottery tuition assistance each year limited to the highest amount of tuition assistance received by students at public two‑year institutions. In order to qualify as a first time entering freshman and before attempting twenty‑four academic credit hours, a student must:

~~(1)~~(a) be a South Carolina resident for a minimum of one year;

~~(2)~~(b) be enrolled and maintain six credit hours each semester in a certificate, degree, or diploma program;

~~(3)~~(c) make reasonable progress toward completion of the requirements for the certificate, degree, or diploma program;

~~(4)~~(d) complete a Free Application for Federal Student Aid (FAFSA) application if enrolled in a program awarding college credit. If a student feels that he will definitely not qualify to receive federal financial aid, the student may complete a simple form of minimum questions created by the State Board for Technical and Comprehensive Education and the Commission on Higher Education to determine if the student definitely will not qualify to receive federal financial aid. If it is determined that the student definitely will not qualify to receive federal financial aid, the student shall sign a form created by the State Board for Technical and Comprehensive Education and the Commission on Higher Education, and the student is exempted from completing the Free Application for Federal Student Aid. The State Board for Technical and Comprehensive Education and the Commission on Higher Education shall promulgate regulations to set thresholds for determining if a student definitely will not qualify to receive federal financial aid; and

~~(5)~~(e) not be the recipient of a LIFE Scholarship.

(2) Regulations for implementation of this section are the responsibility of the South Carolina State Board for Technical and Comprehensive Education, for the technical college system, and the Commission on Higher Education, for the two‑year public and private institutions. These regulations must be developed in a coordinated effort, provide for the allocation of funds based on the tuition assistance granted at each institution, and be interchangeable between each of the institutions affected.”

“(F) In order for a student seeking credit hours for a certificate, degree, or diploma to be eligible after attempting twenty‑four academic credit hours the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.”

B. The General Assembly recognizes a need to increase the percentage of working‑aged adults with a postsecondary degree or industry credential by encouraging closer partnerships between the State Board for Technical and Comprehensive Education and the State Board of Education in providing programs pursuant to this SECTION. The State Board for Technical and Comprehensive Education, in collaboration with the State Board of Education, shall look at additional pathways of cooperation to better facilitate adult education in an efficient and cost-effective manner. They shall provide a report detailing their findings, to include student participation, retention, and completion numbers, to the General Assembly by June 1, 2020.

PART V

Workforce Preparation

SECTION 22. Recognizing that a vibrant workforce is critical to sustaining and growing the economy of this State by servicing existing industry and attracting new industry, the State of South Carolina must endeavor to increase the number of South Carolinians who are ready and able to fill jobs demanded by a dynamic and evolving economy. To achieve this purpose, the State of South Carolina establishes an overall statewide workforce readiness goal of at least sixty percent of all working‑age South Carolinians having a postsecondary degree or recognized industry credentials before the year 2030. The General Assembly is encouraged to reexamine and revise this goal on an ongoing basis as needed.

SECTION 23. A. Section 59-59-20 of the 1976 Code is amended to read:

“Section 59-59-20. (A)(1) ~~The Department of Education shall develop a curriculum, aligned with state content standards, organized around a career cluster system that must provide students with both strong academics and real‑world problem solving skills. Students must be provided individualized educational, academic, and career‑oriented choices and greater exposure to career information and opportunities. This system must promote the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals~~ The Department of Education, in collaboration with the Technical College System, the Commission on Higher Education, the Department of Employment and Workforce, and the Department of Commerce, shall develop a career pathways system that:

(a) aligns public education and postsecondary education systems and the career and technology education services provided within and across program providers;

(b) aligns with state and regional workforce needs;

(c) provides students, teachers, parents, and families with general information about career pathways and with strategies to support students in acquiring the academic, employability, and technical skills that employers demand; and

(d) promotes the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.

(2) After developing the career pathways system provided in subsection (A), the Department of Education shall develop a curriculum that:

(a) is aligned with state content standards; is organized around the career pathways system and system of career clusters, which may be based on national career clusters; and is aligned with state and regional workforce needs as determined by the Department of Commerce;

(b) provides students with strong academic and real world problem‑solving skills;

(c) provides students with individualized educational, academic, and career‑oriented choices and a greater exposure to career information and opportunities; and

(d) provides online and print resources for assisting parents in improving student growth in reading and mathematics to ensure all students graduate with the skills to be college and career ready. These parent resources must include information that identifies specific careers and the reading and mathematics demands expected in those careers.

(B)(1) ~~School districts must lay the foundation for the clusters of study system in elementary school by providing career awareness activities. In the middle grades programs must allow students to identify career interests and abilities and align them with clusters of study for the development of individual graduation plans. Finally, high school students must be provided guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study~~ In elementary school, districts shall establish a foundation for the career pathways system and career clusters by providing career awareness activities and, at least annually, informing students, parents, and teachers of individual students’ progress toward having the academic skills in reading and mathematics needed as a foundation for a successful pathway through graduation and postsecondary study.

(2) In middle school, districts shall assist students in:

(a) identifying career interests and abilities; and

(b) developing individual graduation plans that align the interests and abilities of the student as identified pursuant to subitem (a) with related career pathways and clusters of study.

(3)(a) In high school, districts and charter authorizers shall provide guidance and curricula, including career tools and resources for personalized learning, that will enable students to complete successfully their individual graduation plans and will prepare them for a seamless transition to relevant employment, further training, or postsecondary study.

(b) Districts and charter authorizers shall annually collect and provide data to the Department of Education regarding the number of students in each of the pathways offered, disaggregated by school and career center, and at the overall district or charter authorizer level. The Department of Education shall make this data available on its website. The school, career center, district, or charter authorizer must make the same data provided by the Department of Education available on their respective websites.”

B. Section 59-59-20(A)(1) takes effect upon approval by the Governor and must be completed on or before August 1, 2023.

SECTION 24. A. Section 59-59-50 of the 1976 Code is amended to read:

“Section 59-59-50. (A)(1) Every five years, the Department of Education shall ~~Before July 1, 2006, the Department of Education shall develop state models and prototypes for individual graduation plans and the curriculum framework for career clusters of study. These clusters of study may be based upon the national career clusters and may include, but are not limited to~~:

~~(1)~~ ~~agriculture, food, and natural resources;~~

~~(2)~~ ~~architecture and construction;~~

~~(3)~~ ~~arts, audio‑video technology, and communications;~~

~~(4)~~ ~~business, management, and administration;~~

~~(5)~~ ~~education and training;~~

~~(6)~~ ~~finance;~~

~~(7)~~ ~~health science;~~

~~(8)~~ ~~hospitality and tourism;~~

~~(9)~~ ~~human services;~~

~~(10)~~ ~~information technology;~~

~~(11)~~ ~~law, public safety, and security;~~

~~(12)~~ ~~manufacturing;~~

~~(13)~~ ~~government and public administration;~~

~~(14)~~ ~~marketing, sales, and service;~~

~~(15)~~ ~~science, technology, engineering, and mathematics; and~~

~~(16)~~ ~~transportation, distribution, and logistics~~

(a) develop pathways under each career cluster; and

(b) develop programs of study under each pathway.

(2) In developing programs of study as provided in item (1)(b), the Department of Education shall emphasize the high‑skill and in‑demand pathways that the state Workforce Innovation and Opportunity Act plan and Coordinating Council for Workforce Development have identified as critical to the State’s workforce development system.

(B) The Department of Education is to include in the state models and prototypes for individual graduation plans and curriculum framework the flexibility for a student to develop an individualized plan for graduation utilizing courses offered within the clusters at the school of attendance. Any plan of this type is to be approved by the student, parent or guardian, and the school guidance staff.

(C) The Department of Education shall collaborate with the Education and Economic Development Act Coordinating Council to develop a pathway certification process for high schools and postsecondary institutions.”

B. Section 59-59-50(A)(1) takes effect August 1, 2021.

C. Section 59-59-50(C) takes effect upon approval by the Governor and must be completed before August 1, 2022.

SECTION 25. A. Section 59-59-60 of the 1976 Code is amended to read:

“Section 59-59-60. ~~Before July 1, 2007 school districts~~ Each school district shall:

(1) organize high school curricula around a minimum of three ~~clusters of study and cluster majors. The curricula must be designed to provide a well‑ rounded education for students by fostering artistic creativity, critical thinking, and self‑discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life~~ career pathways that are targeted to regional and state workforce needs. A district must offer at least one pathway in each career center or in each high school and at least one high‑skill and in‑demand pathway as identified in the State’s Workforce Innovation and Opportunity Act plan. Each school district shall coordinate with other school districts to ensure that students have increased access to multiple pathways. Students approved to take coursework outside of their attendance zone, to include across district lines, may be transported by school bus at no cost to the student or school district, provided that the route information has been submitted to the Department of Education. The Department of Education is permitted to utilize state funds to initiate and foster cross-district programs and may mandate that districts participate in such programs as a condition of receipt of state funding. Curricula must be designed to provide a well‑rounded education as defined by the ‘Every Student Succeeds Act’ to prepare students for multiple pathways, including postsecondary credentials, advanced coursework, IB, and dual enrollment. These pathways must foster the life and career characteristics, world class knowledge, and skills identified in the Profile of the South Carolina Graduate;

(2) promote an increased awareness of, and career counseling ~~by providing access to the South Carolina Occupational Information System for all schools. However, if a school chooses another occupational information system, that system must be approved by the State Department of Education~~ that focuses on, regional and state workforce needs and on the careers that require a high school diploma, industry certification, postsecondary degree, or postsecondary credential; and

(3) review the pathways selected by the district every two years and determine if a different pathway is more appropriate for local workforce needs. Each district shall report the process it used in determining whether to keep or replace a pathway to the State Board of Education.”

B. This SECTION takes effect August 1, 2022.

SECTION 26. A. Section 59-53-30 of the 1976 Code is amended to read:

“Section 59-53-30. (A) Institutions of the South Carolina Technical Education System shall ~~maintain open admissions policies unless determined to be economically unfeasible by the State Fiscal Accountability Authority and~~ establish and maintain low tuition and fees in order to provide access to post‑secondary education and insure that such educational opportunities shall not be denied to anyone.

(B) Upon request and justification and with the approval of the State Board of Education, the ~~Board~~ board may authorize an institution within its jurisdiction to contract with local school districts to offer adult literacy courses and programs and secondary‑level ~~vocational~~ career and technical education courses and programs.

(C) Upon request and justification and with the approval of the Commission on Higher Education, the ~~Board~~ board may authorize an institution within its jurisdiction to offer two‑year college parallel programs. The Commission on Higher Education shall approve all criteria for college parallel courses.”

B. This SECTION takes effect upon approval by the Governor and must be completed before August 1, 2022.

PART VI

Educator Development, Satisfaction, and Incentives

SECTION 27. (A) The Department of Education is directed to establish a pilot program by May 1, 2021 that will permit a school that has received an overall rating of ‘Excellent’ on its annual report card for at least two consecutive years, or is a located in a critical geographic area as defined in Section 59-26-20(j), to hire non-certified teachers in a ratio of up to ten percent of its entire teaching staff. In order to effect the establishment of the pilot program, the State Board of Education, through the Department of Education, shall approve guidelines that at a minimum shall include the following:

(1) a non-certified teacher must possess a baccalaureate or graduate degree in the subject he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures are provided for non‑certified teachers to participate in the evaluation process pursuant to Section 59‑26‑30(B)(4) and (5); and

(3) training is required to ensure that non‑certified teachers are prepared to enter the classroom.

(B) Participation in the pilot program is optional, and the decision to participate rests solely with the Department of Education and the school principal, upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot program and to assist the Department of Education with establishing best practices.

(C) The Department of Education shall establish a separate code in the professional coding system to capture non‑certified teachers and shall continue to report this information on school report cards.

(D) Beginning November 1, 2022, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. At the end of the five‑year pilot program, the annual status report shall include a recommendation regarding continuance of the program.

SECTION 28. Section 59-5-60(4) of the 1976 Code is amended to read:

“(4) Prescribe and enforce rules for the examination and certification of teachers, including for alternative route providers and programs.”

SECTION 29. Section 59-25-110 of the 1976 Code is amended to read:

“Section 59-25-110. The State Board of Education, by rules and regulations, shall formulate and administer a system for the examination and certification of teachers, including for alternative route providers and programs.”

SECTION 30. Section 59-25-115 of the 1976 Code is amended to read:

“Section 59-25-115. (A) For the purposes of this section, an ‘educator preparation program’ is a state-approved program housed at a college or university or an alternative route program as defined in Section 59-25-25.

(B) A person enrolled in ~~a teacher education~~ an educator preparation program ~~in South Carolina~~ must be advised by the education preparation provider, college, or university that ~~his~~ any prior criminal record could prevent approval to enter into a full or part-time pre-service field or clinical experience in public schools. The education preparation provider, college, or university must notify the individual that his prior criminal record could prevent certification as a teacher in this State in accordance with State Board of Education guidelines.

~~(B)~~(C)(1) Before beginning any part or full‑time field or clinical ~~teaching~~ experience in a public school in this State, ~~a teacher education~~ an educator candidate must complete a pre-service application and clearance process in accordance with State Board of Education guidelines. Part of this process shall include ~~shall undergo~~ a ~~state~~ fingerprint-based criminal records check by the South Carolina Law Enforcement Division and ~~a national criminal records check supported by fingerprints by~~ the Federal Bureau of Investigation, and a search of the National Association of State Directors of Teacher Education and Certification Clearinghouse’s educator misconduct records. The cost associated with the FBI background checks are those of the applicant. Information reported relative to prior arrests or convictions will be reviewed by the State Department of Education, and the State Board of Education when warranted, according to board guidelines. ~~A teacher education candidate with prior arrests or convictions of a serious nature that could affect his fitness to teach in the public schools of South Carolina may be denied the opportunity to complete the clinical teaching experience and qualify for initial teacher certification. An individual who is denied this opportunity as a result of prior arrests or convictions, after one year, may request reconsideration under guidelines established by the State Board of Education.~~

(2) An educator candidate who completes an educator preparation program must repeat the fingerprint-based criminal records check as required in subsection (C)(1) before certification if the criminal history reports on file were submitted more than eighteen months prior to meeting all certification requirements.

(3) Any educator applying for recertification must repeat the fingerprint-based criminal records check as required in subsection (C)(1).

~~(C)~~ ~~A graduate of a teacher education program applying for initial teacher certification must have completed the FBI fingerprint process within eighteen months of formally applying for initial teacher certification or the fingerprint process must be repeated.~~”

SECTION 31. Section 59-25-115 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( )(1) The Department of Education shall establish procedures for the registration and clearance of all non‑certified educators working in any public school, to include a public charter school. Educators shall submit the required documentation and fees to the Department of Education, which shall include, but are not limited to:

(a) a completed registration form;

(b) any associated fee;

(c) transcripts, which shall be subject to review; and

(d) FBI, South Carolina Law Enforcement Division, and National Association of State Directors of Teacher Education and Certification Clearinghouse checks.

(2) An educator whose South Carolina educator certificate has been suspended or revoked shall not be employed as a non‑certified teacher. If a non‑certified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education, then the State Board of Education is authorized to revoke the educator’s registration.”

SECTION 32. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59-25-25. (A)(1) For the purposes of this section, ‘alternative route provider’ means an entity responsible for preparing educators. ‘Alternative route program’ is a sequence of academic courses and experiences that result in state certification.

(2) The State Board of Education may approve alternative route providers and programs for certification for any individual required to hold a state educator certificate. The State Board of Education must establish guidelines for approval that also include periodic review of all providers and programs as provided in Section 59-26-20( ). An educator preparation program housed within an institution of higher education does not have to be nationally accredited, may be approved as an alternative route provider, and may submit a separate and distinct educator preparation program for alternative certification to the State Board of Education for approval. Any alternative route program must include, but is not limited to including, documented evidence of the following:

(a) its budget and sources of revenue, including fees paid by the candidates;

(b) its organizational information, including the names and qualifications of administrators, support staff, and faculty;

(c) entry requirements for candidates for each certification area program offered by the applicant;

(d) its plans for curriculum offerings, including its delivery method and timeframe, field placements, field supervision plans, and assessments of success;

(e) its partnerships with public schools for clinical experiences, if applicable, including signed memoranda of agreement with detailed responsibilities for the alternative route educator provider program and school district;

(f) evidence of annual successful teaching experience by the candidates and their progress toward obtaining a professional certificate;

(g) ongoing monitoring of candidates’ performances in the classroom while in the alternative route program; and

(h) mentoring provided by the educator preparation program.

(B) The Department of Education shall report the total number of individuals employed in this State, by district, with certificates issued by alternative programs to the State Board of Education and the General Assembly before March thirty‑first of each year.”

SECTION 33. Section 59-26-20 of the 1976 Code is amended by adding an appropriately lettered new item at the end to read:

“( ) develop and implement a plan for a seven-year cyclical approval evaluation process for all alternative route providers and programs, as defined in Section 59-25-25(A)(1). The plan shall include approval requirements, including documentation of successful teaching experiences differentiated by program, and a revocation process. The plan may be revised as necessary.”

SECTION 34. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑35. (A)(1) The State Board of Education, with the assistance of the Department of Education, the South Carolina Commission on Higher Education, and the Revenue and Fiscal Affairs Office, shall develop and annually produce a teacher preparation data dashboard that shall provide, at a minimum, the following:

(a) the number of undergraduate and graduate completions;

(b) placement and retention rates by district and region of the State;

(c) the performance of candidates on a basic skills examination;

(d) the ability of programs to recruit a strong, diverse cohort of candidates and prepare them to teach in the content areas of greatest need;

(e) the quality of clinical experiences; and

(f) the effectiveness of individuals who completed a provider’s program and are employed in a public school classroom.

(2) The information must be differentiated by provider and, if applicable, across content areas.

(B) The Department of Education, each educator preparation provider, and each school district shall report all data as requested by the State Board of Education that is necessary to produce the teacher preparation data dashboard, which shall be published on the Department of Education’s website.”

SECTION 35. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑120. (A) Using the longitudinal data system established pursuant to Section 59‑18‑1950, the Department of Education shall annually before December first provide information to each college of education and state‑approved educator preparation program regarding their respective graduates. Information must be provided to a college of education or educator preparation program regarding each of its individual educator graduates and alternative program participants and completers and must include, but is not limited to:

(1) scores for SCPASS and SC READY, or any succeeding assessment, aggregated by classroom, content, or grade; school; district; and learner demographic;

(2) student learning objective data aggregated by classroom, content, or grade; school; district; and learner demographic;

(3) the results of the ADEPT Evaluation by individual educator graduate;

(4) records of employee certification by individual educator graduate; and

(5) other information requested by the college of education or educator preparation programs designed to enhance the ability of the college or educator preparation program to provide improved education services.

(B) A college of education or educator preparation program receiving individualized information regarding its graduates pursuant to subsection (A) shall:

(1) develop and use a unique system for identifying each individual educator graduate for whom it receives such individualized information;

(2) strictly maintain the confidentiality of all information that could be used to identify an individual educator graduate for whom it receives such information; and

(3) not share such information with a third party without the express written consent of the individual educator graduate.

(C) Information provided to a college or educator preparation program pursuant to this section is not subject to the provisions of the Freedom of Information Act.”

SECTION 36. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑52. (A) Annual requirements for the teacher survey currently administered by the Department of Education shall be met by the Center for Educator Recruitment, Retention, and Advancement of South Carolina (CERRA-South Carolina). CERRA-South Carolina shall administer the uniform and confidential online survey of all public school teachers to evaluate teacher satisfaction, shall collect and analyze the survey data, and shall report the results as provided in this section. The survey shall include, but is not limited to, an assessment of teacher perceptions of working conditions related to support and leadership, the availability and use of resources, the classroom and school environment, and professional opportunities. CERRA-South Carolina shall maintain data to provide year-over-year results.

(B) CERRA-South Carolina shall compile, analyze, and report survey results for each school and school district, as well as statewide. The reports must be:

(1) provided to the Education Oversight Committee and each school district board, school district superintendent, school principal, and school teacher; and

(2) published by CERRA-South Carolina, the Department of Education, the Education Oversight Committee, each school district, and each school in a conspicuous place on its respective website. A district must publish results only for the district. A school must publish results only for the school. Yearly results must be published online and maintained for ten years.”

SECTION 37. 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.~~ The minimum starting teacher salary for a teacher with no years of experience and a bachelor’s degree shall be at least thirty‑five thousand dollars. The General Assembly shall establish the starting teacher salary, the salary schedule, and the Education Finance Act inflation factor each year in the annual appropriations act. Annual salary increases must be based on funding provided by the General Assembly in the annual appropriations act and provided through adjustments in the salary schedule to educators identified by the Department of Education as eligible to receive the Education Improvement Act teacher salary supplement during Fiscal Year 2019‑2020 as reported to the Revenue and Fiscal Affairs Office. ~~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, the 1.000 figure in the index must be adjusted on a schedule to stay at the southeastern 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 average teacher salary is the average of the average teachers’ salaries of the southeastern states. In projecting the southeastern 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. This SECTION takes effect July 1, 2020.

SECTION 38. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59-19-360. The board of trustees of a local school district may authorize daily mileage reimbursement for a teacher who must travel more than twenty-five miles each way between home and school. This reimbursement may not exceed the federal reimbursement rate for mileage.”

SECTION 39. A. Section 59-5-63 of the 1976 Code is amended to read:

“Section 59-5-63. (A)(1) The State Board of Education shall ~~promulgate regulations directing~~ adopt, and revise as necessary, a policy that each local school board must use to develop and implement a plan that directs the principal of each elementary school having ~~grades one~~ kindergarten through ~~six~~ the fifth grade to provide all full-time teachers who are assigned to a classroom with at least thirty minutes of duty-free time on each regular school day ~~to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff~~. ~~The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984 85 school year.~~

(2) The State Board of Education’s policy must:

(a) provide the process that a local school board must follow in developing a duty-free policy, including, but not limited to, policy application, manner of application, and times of application;

(b) provide that duty-free time may not be withheld or reduced, unless it is reasonable and necessary due to extreme and unavoidable circumstances to ensure the safety and welfare of students and staff;

(c) provide that additional compensation may not be offered in place of duty-free time;

(d) provide penalties if a principal fails to comply with local duty-free policy; and

(e) provide penalties if a local school board fails to comply with this section.

(B) The local school board must adopt a duty-free policy at a regularly scheduled meeting within three months of the State Board of Education’s adoption of a statewide policy. The local school board’s policy must include, at a minimum, the State Board of Education’s policy but may also include additional provisions. If the State Board of Education revises the statewide policy, then the local school board must incorporate and adopt the revisions into the local duty-free policy at a regularly scheduled meeting within three months.

(C) The local school board must submit its duty-free policy and any subsequent revisions to the Department of Education within thirty days of adoption.”

B. This SECTION takes effect August 1, 2020.

PART VII

Local School Boards

SECTION 40. A. Chapter 19, Title 59 of the 1976 Code is amended by adding:

“ARTICLE 7

Local School Governance

Section 59‑19‑710. The purpose of this article is to enhance local school governance by promoting the highest standards of ethical behavior.

Section 59‑19‑720. For the purposes of this article, ‘board member’ means a person holding membership, whether by election or appointment, on a board of education, including a charter school board or the South Carolina Charter School District board, other than the State Board of Education.

Section 59‑19‑730. (A) The State Board of Education shall adopt, and revise as necessary, a model code of ethics for local school board members. The code shall include penalties for violations that the State Board of Education determines are reasonable and necessary.

(B)(1) A local school board shall adopt a local code of ethics applicable to that board within three months after adoption of the model code of ethics by the State Board of Education. A local code must include, at a minimum, the State Board of Education’s model code of ethics.

(2) If the State Board of Education adopts a revision to the model code of ethics, then local school boards shall adopt and incorporate the revision into their local code within three months of the adoption of the revision by the State Board of Education.

(3) A local school board may only adopt its local code of ethics or any changes to that local code at a regularly scheduled meeting.

(4) A local school board may not adopt or follow a code of ethics that prevents its members from freely discussing the policies and actions of the board outside of a board meeting. This does not preclude a local school board from adopting a policy in a regularly scheduled meeting that prohibits certain disclosures allowed by law.

(5) A local school board shall submit a copy of its local code of ethics and subsequent revisions to the Department of Education within thirty days of adoption.

(6) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.”

B. Section 59-19-730(A) takes effect upon approval by the Governor but must be completed before July 1, 2021.

SECTION 41. A. Section 59-19-45 of the 1976 Code is amended to read:

“Section 59-19-45. (A)(1) The State Board of Education shall adopt a model training program for training local school board members. Every three years, the State Board of Education shall review the training program as it considers necessary and adopt revisions.

(2)(a) A local school board shall adopt a local training program applicable to that board within three months after adoption of the model training program by the State Board of Education. A training program must include, at a minimum, the model training program adopted by the State Board of Education.

(b) If the State Board of Education adopts a revision to its training program, then local schools board shall adopt and incorporate the revision into their local training programs within three months of the adoption of the revision by the State Board of Education.

(c) A local school board may only adopt its local training program or any changes to that local training program at a regularly scheduled meeting.

(B) Within one year of taking office, all persons elected, re-elected, ~~or~~ appointed, or reappointed as members of a school district board of trustees ~~after July 1, 1997~~, regardless of the date of their election, re-election, appointment, or reappointment, shall complete successfully ~~an orientation~~ a training program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics, nepotism, conflicts of interest, and community relations. This program must be offered by a district or its designee and completed by each board member within one year after his election, reelection, appointment, or reappointment.

~~(B)~~ ~~The orientation shall be approved by the State Board of Education and conducted by public or private entities approved by the State Board of Education such as the South Carolina School Boards Association.~~

(C) ~~The provisions of this section also apply to members of county boards of education appointed or elected after July 1, 1997, in the same manner the provisions of this section apply to members of school district boards of trustees~~ In addition to meeting other requirements provided by law, a person serving on a local school board shall sign a statement asserting that he understands and is in compliance with the South Carolina ethics law, the applicable local code of ethics, and the training required pursuant to this section.

(D) ~~The provisions of this section do not apply to a school board trustee or county board of education member who was serving in such office on July 1, 1997, and who is continuously reelected or reappointed to office thereafter~~ At the beginning of each calendar year, a local school board shall certify compliance with the provisions of subsection (C) by all board members and publish this certification in the minutes of the next regularly scheduled school board meeting.

~~(E)~~ ~~The State Department of Education shall reimburse a school district or county board of education conducting an orientation for a new board member as required by this section at the rate of eighty dollars for a member, provided that the total reimbursements by the department in one fiscal year must not exceed ten thousand dollars. If the total projected cost of these reimbursements for a year as determined by the department exceeds ten thousand dollars, the eighty‑dollar reimbursement for each new member must be reduced proportionately. If funds are not available for these reimbursements, the board member orientation is not required but may be conducted at the option of a school district or county board of education. The State Board of Education shall establish guidelines and procedures for these reimbursements.~~

~~(F)~~ ~~The State Department of Education must keep a record of the school board trustees who complete the orientation program.~~”

B. Section 59-19-45(A)(1) takes effect upon approval by the Governor but must be completed by December 31, 2020. The training program pursuant to Section 59-19-45(B) must be offered by a district or its designee and completed by each board member within one year after the effective date of this SECTION.

SECTION 42. A. Section 59-39-100 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“( )(1) A district school board or charter school sponsor may establish a board policy to require all high school students without a scheduled class or classes for the remainder of a school day to remain at their assigned school until the end of that regular school day, unless the student:

(a) is actively participating in a college or career readiness activity, class, or course away from the school, including, but not limited to, work‑based learning; an approved apprenticeship, internship, or externship; or a senior project;

(b) is actively involved in an ongoing community service project;

(c) is regularly scheduled for a volunteer or service activity, such as tutoring or mentoring another student;

(d) is gainfully employed; or

(e) provides a written request from his parent or guardian requesting an exemption from the requirement.

(2) The district board or charter sponsor policy established may require a uniform district‑wide policy or may include provisions allowing each high school under its governance to establish a policy unique to its students’ needs that is uniformly applied within the school.”

B. This SECTION takes effect August 1, 2020.

SECTION 43. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other local school districts within its county:

(a) based on the forty-five day average daily student membership count received by the Department of Education for the 2018-19 School Year, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV in the 2018 tax year pursuant to Section 12-6-3360(B).

(2) Any funds received must be used to support costs directly related to consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the local school district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(3) On or before August 1, 2020, each eligible district must submit a preliminary consolidation plan and timeline to the Department of Education for review and approval and must include a proposed use of funds. Upon approval by the Department of Education, each district shall forward its consolidation plan to its local legislative delegation for action. Upon approval of a consolidation plan by the Department of Education, the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate any remaining funds following any legislative action formally consolidating districts.

(B)(1) After August 1, 2022, any local school district satisfying the characteristics of subsection (A)(1) that has not implemented consolidation pursuant to subsection (A) shall be merged with one or more districts in the same county and is not eligible for appropriated funds. The Department of Education will direct the merger and shall report to the General Assembly any legislative actions necessary to accomplish the merger.

(2) If a district began consolidation and received funding pursuant to subsection (A) but did not fully implement the consolidation, then the district shall be consolidated pursuant to this subsection. The Department of Education shall direct the district to remit payment in an amount equal to the funds allocated pursuant to subsection (A). The Department of Education shall work with the districts involved to identify services that will be consolidated and to enhance educational services and the programs available to students.

(C) After August 1, 2020, a local school district eligible for consolidation pursuant to subsection (A) may not incur new bonded indebtedness, spend existing district reserves, dispose of district assets, or increase the salary of any district employee without prior approval by the Department of Education unless otherwise directed by the General Assembly.

(D) If sufficient funds are not appropriated to support subsection (A), then the Department of Education is directed to submit a report to the General Assembly by January 10, 2020, outlining the districts that meet the criteria of subsection (A)(1). School districts included in the report required by this subsection are subject to the consolidation process provided in subsection (B). The report shall include information on shared services, district efficiency reviews, and other relevant information related to school district consolidation.

SECTION 44. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59-17-45. (A) Notwithstanding any other provision of law, any local school district shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county if the district maintains an average daily membership that is less than one thousand five hundred based on annual student counts received by the Department of Education. These funds must be used to support costs directly related to consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and to use them for the same purpose.

(B) An eligible district intending to consolidate must submit a preliminary consolidation plan, a timeline, and the proposed use of funds to the local legislative delegation for review and approval through the passage of local legislation. Upon approval by the local legislative delegation, the district shall forward the consolidation plan to the Department of Education, and the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate any remaining funds following any legislative action formally consolidating the districts.

(C) Upon submission of a consolidation plan, a local school district may not incur new bonded indebtedness, spend existing district reserves, dispose of district assets, or increase the salary of any district employee without prior approval by the Department of Education, unless otherwise directed by its local legislative delegation.

(D) If sufficient funds are not appropriated to support consolidation, then the Department of Education is directed to submit a report annually to the General Assembly outlining the districts that have submitted consolidation plans. The report shall include information on shared services, district efficiency reviews, and other relevant information related to school district consolidation.”

SECTION 45. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school~~ schools of ~~choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education.”

SECTION 46. A. Section 59-1-425(A) of the 1976 Code is amended to read:

““Section 59‑1‑425. (A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ~~ninety~~ ninety-five days annually and must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, ~~beginning with the 2007‑2008 school year,~~ the opening date for students must not be ~~before the third~~ before the second Monday in August, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers' knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and ~~the remaining~~ five days may be used for teacher planning, academic plans, and parent conferences. The remaining five days may be used for teacher planning but must not include mandatory professional development, meetings, or parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

B. This SECTION is effective contingent upon funding in the annual appropriations act.

SECTION 47. Section 59-19-60 of the 1976 Code is amended to read:

“Section 59-19-60. Notwithstanding any provision of law to the contrary, school ~~School~~ district trustees guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity shall be subject to removal from office ~~for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education~~ by the Governor. ~~Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59‑19‑560.~~ Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term ~~by the county board of education~~ in the same manner as provided for full‑term appointments.”

PART VIII

Assistance and Intervention

SECTION 48. Article 15, Chapter 18, Title 59 of the 1976 Code is repealed.

SECTION 49. Chapter 18, Title 59 of the 1976 Code is amended by adding:

“ARTICLE 16

Assistance and Intervention

Section 59-18-1615. As used in this article:

(1) ‘Chronically underperforming school’ means a school that receives an overall rating of unsatisfactory for three consecutive years on its annual school report card, as provided in Section 59-18-900.

(2) ‘School district’ is defined pursuant to Section 59-1-160.

(3) ‘Turnaround plan’ means a plan outlining goals for a school or district’s educational improvement that includes specific strategies designed to increase student achievement and measures to evaluate the success of implementation of the plan so that the school or district is no longer underperforming or chronically underperforming. The department is required to provide schools and districts with a template to complete the turnaround plan.

(4) ‘Underperforming district’ means a district in which sixty-five percent or more of the schools in the district have an overall rating of unsatisfactory or below average on their annual school report cards, as provided in Section 59-18-900.

(5) ‘Underperforming school’ means a school that receives an overall rating of unsatisfactory or below average on its annual school report card, as provided in Section 59-18-900.

Section 59‑18-1620. (A) The department shall implement a tiered system for providing technical and other assistance, professional development, and monitoring for schools and districts. By December thirty-first of each year, the State Superintendent of Education shall report on the tiered system’s progress relating to assistance provided to schools and local school districts to the General Assembly. The report shall include data documenting the impact of the assistance on student academic achievement, college and career readiness, and high school graduation rates.

(B) As a component of determining if and where assistance and changes are necessary, the department shall:

(1) monitor the professional development of teachers, staff, and administrators provided by or approved through districts and schools;

(2) monitor local school board operations for efficient and effective management; and

(3) identify and provide a summary of improvements and changes to the school districts, district school boards, and other involved parties.

Section 59‑18‑1625. (A) Upon a school or district’s designation as an underperforming school or district, the department shall immediately place the school or district into a tiered status to provide technical assistance. The department shall notify the underperforming school or district and the district superintendent of the tiered status.

(B)(1) Upon receiving notification from the department, the district superintendent, in consultation with school and community stakeholders, must review and revise the school or district’s strategic plan with the assistance of the School Improvement Council, as established in Section 59‑20‑60, to include a turnaround plan component for any underperforming school or district.

(2) The turnaround plan component of the revised strategic plan must:

(a) be based on data or needs assessments to identify specific improvement strategies related to underperforming school turnaround;

(b) include, at a minimum, specific and measurable goals, actions, activities, resource needs, student achievement goals, professional development plans, and academic interventions that are reasonable and necessary to improve student progress toward achieving the Profile of the Graduate for each school;

(c) include broad‑based community input, including, but not limited to, input from parents, teachers, principals, local school board members, businesses, community leaders, health providers, social services agencies, school improvement councils, or early childhood providers; and

(d) be submitted by the district superintendent to the local board of trustees for approval.

(C) Upon approval by the local board of trustees, the turnaround plan component of the revised strategic plan must be submitted to the department for review and approval. Thereafter, the district superintendent and the local board of trustees shall annually submit updates to the department regarding the implementation of the turnaround or revised strategic plan, including metrics assessing the impact of the activities included in the plan.

(D) Once approved by the department, the revised strategic plan must be prominently posted on the respective websites of the department, district, and school. The department shall monitor the district’s implementation of the revised strategic plan and evaluation of students’ academic progress, as provided for in the plan, and shall apprise the State Board of Education of the district’s progress once a quarter.

(E) For a school receiving an underperforming rating, the district and local board of trustees must work with the school principal to inform the parents of enrolled children of the rating. The notification must outline the steps in the revised strategic plan to improve performance, including the support that the local district board of trustees has agreed to give the plan.

Section 59‑18‑1630. Upon the release of the annual report card issued pursuant to Section 59-18-900, the department shall notify the appropriate legislative delegation of any school receiving an overall unsatisfactory rating. The local school board and district superintendent with jurisdiction over the unsatisfactory school shall:

(1) notify parents of students in writing and electronically;

(2) schedule, prominently publicize, and hold a public meeting to explain the school’s rating, its implications, how it must develop and implement a revised strategic plan for improvement, and how it will involve and engage the community in its plans, within thirty days of receiving the rating;

(3) immediately review and revise its strategicplan, which must incorporate and focus on turnaround plan components for each school designated as unsatisfactory in accordance with the template and guidelines provided by the department; and

(4) upon department approval, immediately list the revised strategic plan as a topic on the local district board meeting agenda at least once a quarter.

Section 59‑18‑1635. (A) The State Superintendent of Education may seek a state-of-education emergency declaration in a school for which he has a capacity to serve under the following circumstances:

(1) the school is chronically underperforming;

(2) the school’s accreditation is denied; or

(3) the State Superintendent of Education determines that a school’s turnaround plan results are insufficient.

(B) If the State Superintendent of Education determines that a state-of-education emergency declaration is justified, then he must request that the State Board of Education meet to approve or disapprove the declaration. The State Board of Education must meet within ten days of the request to approve or disapprove the declaration.

(C) Upon approval of a state-of-education emergency declaration, the State Superintendent of Education shall:

(1) notify the district superintendent, local school board, local legislative delegation, and Governor; and

(2) assume management of the school.

(D) The district superintendent and members of the local district board may appeal the State Board of Education’s approval of the declaration to the Administrative Law Court within ten business days of receipt of the notice of the declaration. A request for a hearing must be made in accordance with the court’s rules, provided, however, that a request for a contested case hearing for an emergency declaration does not stay the declaration.

(E) Once a school subject to subsection (C) has met annual targets identified in the revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such. Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the department, in consultation with the district and local board of trustees, shall develop a transition plan and timeline for returning management of the school to the district.

Section 59‑18‑1640. (A) The State Superintendent of Education may seek a state-of-education emergency declaration in a district for which he has a capacity to serve under the following circumstances:

(1) the district is identified as underperforming for three consecutive years;

(2) the district’s accreditation is denied;

(3) the Superintendent of Education determines that a district’s turnaround plan results are insufficient; or

(4) the district is classified as being in a fiscal emergency status pursuant to Section 59-20-90, or financial mismanagement resulting in a deficit has occurred.

(B) If the State Superintendent of Education determines that a state-of-education emergency declaration is justified, then he must request that the State Board of Education meet to approve or disapprove the declaration. The State Board of Education must meet within ten days of the request to approve or disapprove the declaration.

(C) Upon approval of a state-of-education emergency, the State Superintendent of Education shall:

(1) notify the State Board of Education, the district superintendent, local school board, local legislative delegation, and Governor; and

(2) assume management of the district.

(D) The district superintendent and members of the local district board may appeal the State Board of Education’s approval of the declaration to the Administrative Law Court within ten business days of receipt of the notice of the declaration. A request for a hearing must be made in accordance with the court’s rules, provided, however, that a request for a contested case hearing for an emergency declaration does not stay the declaration.

(E)(1) Upon the State Board of Education’s approval of a state-of-education emergency declaration, the local district board of trustees is dissolved. The State Superintendent of Education shall assume the authority and responsibilities of the district superintendent and local board of trustees until district management is transitioned to the jurisdiction of an interim local district board of trustees appointed pursuant to this section.

(2)(a) Once a district subject to subsection (C) has met annual targets identified in the district’s revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such. The State Board of Education shall approve that an interim local district board of trustees be appointed. The interim local district board of trustees shall consist of five members appointed in the following manner with a chairman elected by the appointees:

(i) one member appointed by the Governor;

(ii) one member appointed by the local legislative delegation; and

(iii) three members appointed by the State Superintendent of Education in consultation with the local legislative delegation.

(b) All appointees must be residents of the school district for which the interim appointments are being made. In making appointments to the interim local district board of trustees, the appointing authority shall take into account race, gender, and other demographic factors, such as residence in a rural or urban area, so as to represent, to the greatest extent possible, all segments of the population of the affected district; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. The members of the interim local district board of trustees shall represent the educational needs of the district.

(c) The interim local district board shall be appointed to begin serving within forty-five days of the State Board of Education’s approval of the appointments of the interim local district board and shall serve for a minimum of three years.

(d) Any vacancy shall be filled in the original manner of appointment.

(3) For a minimum of three years and until the State Board of Education votes to end the state-of-education emergency, the interim local district board shall remain in place, and its appointed members shall continue to serve.

(F)(1) Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the department, in consultation with the district and interim board, shall develop a transition plan and timeline for returning management of the district to a local board of trustees. Beginning with the next regularly scheduled election, local district board of trustees members will be elected or appointed pursuant to statutory requirements.

(2) Upon the swearing in of a new local district board of trustees, the declaration of a state-of-education emergency shall expire, and the powers and duties of the district superintendent and local district school board of trustees are restored.

(G) Notwithstanding any other provision of law, a district in a state-of-education emergency pursuant to this section shall have its fiscal authority relating to taxing authority and levying millage transferred to its county council until the state-of-education emergency is lifted. County council may not exceed millage limitations established pursuant to Section 6-1-320 or otherwise established prior to the state-of-education emergency declaration.”

SECTION 50. Section 59‑18‑920 of the 1976 Code is amended to read:

“Section 59‑18‑920. A charter school established pursuant to Chapter 40, Title 59 shall report the data requested by the ~~Department of Education~~ department necessary to generate a report card and a rating. The performance of students attending charter schools sponsored by the South Carolina Public Charter School District or a registered institution of higher learning must be included in the overall performance ratings of each school ~~in the South Carolina Public Charter School District~~. The performance of students attending a charter school authorized by a local school district must be reflected on a separate line on the school district’s report card. An alternative school is included in the requirements of this chapter; however, the purpose of an alternative school must be taken into consideration in determining its performance rating. The Education Oversight Committee, working with the State Board of Education and the School to Work Advisory Council, shall develop a report card for career and technology schools.”

SECTION 51. Section 59‑59‑30 of the 1976 Code is repealed.

PART IX

Miscellaneous

SECTION 52. (A) On or before August 1, 2021, the Legislative Audit Council shall study and publish a report detailing federal funding streams for programs and grants in elementary and secondary education in this State in total and shall break out the cost of overhead, compliance, and reporting incurred by the Department of Education, school districts, and local schools. Methods, assumptions, limitations, and procedures used in the study must be published as part of the final report.

(B) The Legislative Audit Council’s study shall focus on:

(1) Title I, Title II, and Title IV as related to the Elementary and Secondary Education Act of 1965, and as reauthorized by the No Child Left Behind Act of 2001, and Every Student Succeeds Act of 2017;

(2) Individuals with Disabilities Education Act of 2004;

(3) Head Start and Early Childhood Education; and

(4) teacher quality improvement programs.

(C) The study and report must include, but is not limited to, the following considerations:

(1) grant and program application costs as a cost of compliance;

(2) grant and program application policy requirements imposed on the State, as well as the fiscal impact associated with the requirements;

(3) expenditures, annualized and projected for the life of each grant and program and for ten years after the grant or program expires or after federal funding is discontinued;

(4) the process to evaluate programs and grant costs of compliance, including an analysis of applicable federal regulations, as well as interviews with at least ten local school districts of varying size and two schools per district selected. Schools and districts that participate in the study will be held harmless;

(5) both allowable and unallowable expenditures incurred from the programs and grants included in the cost of compliance;

(6) expenditures incurred requiring the use of state or local funds included in the cost of compliance; and

(7) “Maintenance of Effort” and “Supplement, Not Supplant” requirements included in the cost of compliance as a category of “minimum state and local spending required to receive grant.”

(D) Once complete, the report will be made public.

SECTION 53. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 54. Unless otherwise provided, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

GREG HEMBREE for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA CAREER OPPORTUNITY AND ACCESS FOR ALL ACT”; BY ADDING SECTION 59‑1‑485 SO AS TO PROVIDE A STATEWIDE COLLEGE AND CAREER READINESS GOAL FOR 2030; BY ADDING ARTICLE 15 TO CHAPTER 63, TITLE 59 SO AS TO CREATE THE “STUDENT BILL OF RIGHTS”; TO AMEND SECTION 59‑5‑10, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ADD A PUBLIC SCHOOL STUDENT APPOINTED BY THE GOVERNOR TO SERVE A TWO‑YEAR TERM AS A NONVOTING ADVISORY MEMBER; BY ADDING CHAPTER 12 TO TITLE 1 SO AS TO CREATE THE “ZERO TO TWENTY COMMITTEE” AND TO PROVIDE FOR THE PURPOSES, MEMBERSHIP, AND DUTIES OF THE COMMITTEE; BY ADDING SECTION 59‑29‑250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN HIGH SCHOOLS; TO AMEND SECTION 59‑18‑310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REMOVE SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59‑18‑320, RELATING TO FIELD TESTS IN THE STATEWIDE ASSESSMENT PROGRAM AND ADMINISTRATION OF ASSESSMENTS UNDER THE PROGRAM, SO AS TO MAKE CHANGES TO CONFORM TO THE REMOVAL OF SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59‑18‑325, RELATING TO REQUIREMENTS THAT THE DEPARTMENT PROCURE AND ADMINISTER CERTAIN STANDARDS‑BASED ASSESSMENTS, SO AS TO REMOVE THE REQUIREMENT FOR PROCURING AND ADMINISTERING STANDARDS‑BASED ASSESSMENTS IN SOCIAL STUDIES TO STUDENTS IN FIFTH GRADE AND SEVENTH GRADE; BY ADDING SECTION 59‑156‑250 SO AS TO PROVIDE THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS AND THE STATE DEPARTMENT OF EDUCATION SHALL COMPILE AND REPORT TO THE GENERAL ASSEMBLY CERTAIN INFORMATION ABOUT EARLY CHILDHOOD READING EFFORTS, PLANS TO INCREASE PARTICIPATION IN RELATED PROGRAMS IN CERTAIN DISTRICTS, AND TO REQUIRE A SUBSEQUENT REPORT IN FIVE YEARS; TO AMEND SECTION 59‑104‑20, RELATING TO THE CRITERIA FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING PALMETTO FELLOWS SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019‑2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59‑149‑50, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019‑2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59‑59‑210, RELATING TO ARTICULATION AGREEMENTS PROVIDING DUAL ENROLLMENT BETWEEN HIGH SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO EXPAND SUCH DUAL ENROLLMENT OPPORTUNITIES BY CREATING A UNIFORM SYSTEM OF DUAL ENROLLMENT COLLEGE COURSES OFFERED TO HIGH SCHOOL STUDENTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59‑18‑365 SO AS TO PROVIDE A SYSTEM FOR ACCOUNTABILITY FOR STUDENT PROGRESS TOWARD COLLEGE AND CAREER READINESS FROM KINDERGARTEN THROUGH TWELFTH GRADE; TO AMEND SECTION 59‑5‑65, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE REMEDIAL COURSEWORK FOR COLLEGE READINESS ONLY MAY BE PROVIDED AT THE HIGH‑SCHOOL LEVEL AND MAY NOT BE PROVIDED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTIONS 59‑18‑1950 AND 59‑101‑350, BOTH RELATING TO REMEDIAL COURSEWORK, SO AS TO MAKE A CONFORMING CHANGE TO THE ELIMINATION OF REMEDIAL COURSEWORK BEING OFFERED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59‑155‑155 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL APPROVE NO MORE THAN FIVE RELIABLE AND VALID EARLY LITERACY AND NUMERACY SCREENING ASSESSMENT INSTRUMENTS FOR SELECTION AND USE BY SCHOOL DISTRICTS FOR KINDERGARTEN THROUGH THIRD GRADE, AND TO PROVIDE REQUIREMENTS FOR SUCH INSTRUMENTS; TO AMEND SECTION 59‑155‑110, RELATING TO THE READ TO SUCCEED OFFICE, SO AS TO CORRECT A TYPOGRAPHICAL ERROR; TO AMEND SECTION 59‑155‑120, RELATING TO DEFINITIONS IN THE READ TO SUCCEED ACT, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 59‑155‑130, RELATING TO DUTIES OF THE READ TO SUCCEED OFFICE, SO AS TO REVISE THE REQUIREMENTS CONCERNING COURSEWORK NECESSARY FOR LITERACY ADD‑ON ENDORSEMENTS AND TO REVISE REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT IN READING AND COACHING FOR CERTIFIED READING/LITERACY COACHES AND LITERACY TEACHERS; TO AMEND SECTION 59‑155‑140, RELATING TO THE STATE READING PROFICIENCY PROGRAM, SO AS TO REMOVE THE USE OF BOOK CLUBS FOR CERTAIN REQUIRED SUPPLEMENTAL INSTRUCTION; TO AMEND SECTION 59‑155‑150, RELATING TO THE READINESS ASSESSMENT PROVIDED BY THE READ TO SUCCEED ACT, SO AS TO REVISE THE REQUIREMENTS FOR SCREENING AND DIAGNOSTIC ASSESSMENTS AND INTERVENTIONS; TO AMEND SECTION 59‑155‑160, RELATING TO MANDATORY STUDENT RETENTION PROVISIONS OF THE READ TO SUCCEED ACT, SO AS TO REVISE CRITERIA FOR RETENTION AND EXEMPTIONS FROM RETENTION, TO ELIMINATE AN APPEALS PROCESS, AND TO REVISE CRITERIA FOR INTENSIVE INSTRUCTIONAL SERVICES AND SUPPORT PROVIDED TO RETAINED STUDENTS; TO AMEND SECTION 59‑155‑180, RELATING TO PROVISIONS CONCERNING TEACHER EDUCATION PROGRAMS IN THE READ TO SUCCEED ACT, SO AS TO REMOVE THE REQUIREMENT THAT READING/LITERACY COACHES BE EMPLOYED IN ALL ELEMENTARY SCHOOLS, TO REVISE REQUIREMENTS CONCERNING THE ROLES AND FUNCTIONS OF READING/LITERACY COACHES, TO PROVIDE MEASURES TO ENSURE TEACHER CANDIDATES UNDERSTAND THE FOUNDATIONS OF READING AND ARE PREPARED TO TEACH READING TO ALL STUDENTS, AND TO PROVIDE THE COMMISSION ON HIGHER EDUCATION AND THE LEARNING DISORDERS TASK FORCE ANNUALLY SHALL ASSESS THE EFFECTIVENESS OF TEACHER EDUCATION PROGRAMS IN PREPARING TEACHERS TO DIAGNOSE READING PROBLEMS IN STUDENTS AND PROVIDE APPROPRIATE INTERVENTIONS, AND TO PROVIDE THE COMMISSION SHALL REPORT FINDINGS OF THIS ASSESSMENT TO THE STATE DEPARTMENT OF EDUCATION AND TO THE GENERAL ASSEMBLY; TO AMEND SECTION 59‑59‑20, RELATING TO CAREER‑CLUSTER CURRICULUM, SO AS TO REVISE THE CURRICULUM TO ALIGN WITH WORKFORCE NEEDS, AMONG OTHER THINGS; TO AMEND SECTION 59‑59‑50, RELATING TO STATE MODELS AND PROTOTYPES FOR INDIVIDUAL GRADUATION PLANS, SO AS TO REVISE THE REQUIREMENTS TO INCLUDE CAREER CLUSTERS AND RELATED PATHWAYS AND PROGRAMS OF STUDY, AMONG OTHER THINGS; TO AMEND SECTION 59‑59‑60, RELATING TO THE ORGANIZATION OF HIGH SCHOOL CURRICULA AROUND CLUSTERS OF STUDY AND CLUSTER MAJORS, SO AS TO REORGANIZE THE CURRICULA AROUND CAREER PATHWAYS AND TO PROMOTE RELATED INCREASED AWARENESS AND CAREER COUNSELING; BY ADDING SECTION 59‑53‑30 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH COMMON MINIMUM ADMISSIONS SCORES FOR ITS INSTITUTIONS, TO PROVIDE VARIATIONS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE ADVICE INSTITUTIONS SHOULD GIVE INDIVIDUALS WHO MEET THESE MINIMUM SCORES; TO AMEND SECTION 59‑150‑360, RELATING TO TUITION ASSISTANCE FOR STUDENTS WHO ATTEND TECHNICAL COLLEGES OR TWO‑YEAR PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO PROVIDE THIS ASSISTANCE FOR STUDENTS SEEKING CERTAIN BUSINESS OR INDUSTRY CREDENTIALS, AMONG OTHER THINGS; BY ADDING SECTION 12‑6‑3800 SO AS TO ALLOW AN INCOME TAX CREDIT FOR A TAXPAYER WHO EMPLOYS A PUBLIC SCHOOL K4‑12 TEACHER AS AN INTERN, TO PROVIDE THAT THE INTERNSHIP MUST BE APPROVED BY THE SCHOOL DISTRICT IN WHICH THE TEACHER IS EMPLOYED BASED ON CRITERIA PROVIDED BY THE DEPARTMENT OF EDUCATION, AND TO PROVIDE FOR REPORTING REQUIREMENTS; TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND THE STATE BOARD OF EDUCATION TO REPORT RECOMMENDATIONS FOR TRANSFERRING ADULT BASIC EDUCATION AND ADULT SECONDARY EDUCATION TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND HOW TO BEST USE CAREER AND TECHNOLOGY CENTERS TO PROVIDE IMPROVED AND UPDATED TECHNICAL EDUCATION; TO AMEND SECTION 59‑111‑110, RELATING TO CERTAIN PEOPLE EXEMPT FROM PAYING TUITION TO ATTEND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO INCLUDE FULL‑TIME CERTIFIED CLASSROOM TEACHERS EMPLOYED IN SCHOOLS WITH ABSOLUTE RATINGS OF BELOW AVERAGE OR UNSATISFACTORY FOR THREE OF THE FOUR PRECEDING YEARS; BY ADDING SECTION 59‑111‑155 SO AS TO PROVIDE A NECESSARY DEFINITION; BY ADDING SECTION 59‑19‑360 SO AS TO PROVIDE SCHOOL BOARDS MAY REIMBURSE TEACHERS WHO MUST TRAVEL MORE THAN TWENTY‑FIVE MILES EACH WAY BETWEEN HOME AND SCHOOL FOR MILEAGE AT A RATE NOT TO EXCEED THE FEDERAL RATE; TO AMEND SECTION 59‑19‑350, RELATING TO SCHOOLS OF CHOICE, SO AS TO PROVIDE SCHOOL DISTRICTS INSTEAD MAY CREATE MULTIPLE SCHOOLS OF INNOVATION; BY ADDING SECTION 59‑8‑1115 SO AS TO PROVIDE SCHOOLS RECEIVING OVERALL RATINGS OF “GOOD” OR “EXCELLENT” ON THEIR ANNUAL REPORT CARDS FOR AT LEAST TWO CONSECUTIVE YEARS MAY HIRE NONCERTIFIED TEACHERS FOR UP TO TWENTY‑FIVE PERCENT OF ITS TEACHING STAFF AND TO PROVIDE REQUIREMENTS FOR NONCERTIFIED TEACHERS; BY ADDING SECTION 59‑25‑25 SO AS TO PROVIDE EDUCATOR PREPARATION PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION MAY SUBMIT SEPARATE AND DISTINCT EDUCATOR PREPARATION PROGRAMS FOR ALTERNATIVE PREPARATION TO THE STATE BOARD OF EDUCATION FOR APPROVAL, TO PROVIDE THESE PROGRAMS ARE NOT REQUIRED TO BE NATIONALLY ACCREDITED BUT MUST MEET CERTAIN OTHER REQUIREMENTS, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL REPORT RELATED DATA TO THE STATE BOARD OF EDUCATION AND THE GENERAL ASSEMBLY; TO AMEND SECTION 59‑26‑20, RELATING TO DUTIES OF THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION CONCERNING THE TRAINING, CERTIFICATION, AND EVALUATION OF PUBLIC EDUCATORS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS REGARDING A CYCLICAL EVALUATION PROCESS FOR APPROVED TEACHER EDUCATOR PROGRAMS, AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 59‑26‑35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; BY ADDING SECTION 59‑26‑120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT; BY ADDING SECTION 59‑25‑52 SO AS TO INCREASE EFFORTS TO RETAIN EDUCATORS BY CONDUCTING A SEMIANNUAL WORKPLACE SATISFACTION OPINION SURVEY OF SOUTH CAROLINA PUBLIC SCHOOL TEACHERS, AND TO PROVIDE FOR THE REPORTING OF THE RESULTS OF THESE SURVEYS; TO AMEND SECTION 59‑20‑50, RELATING TO TEACHER SALARY SCHEDULES, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE DISTRICTS MAY PAY TEACHERS ANNUAL SALARIES AT LEAST EQUAL TO THE MINIMUM STARTING SCHEDULE FOR THEIR EXPERIENCE AND EDUCATIONAL ATTAINMENT, TO PROVIDE A MINIMUM STARTING SALARY FOR NEW TEACHERS, TO PROVIDE THIS STARTING SALARY MUST BE ESTABLISHED WITH THE GOAL OF REACHING THE SOUTHEASTERN AVERAGE, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO MAKE CERTAIN RECOMMENDATIONS FOR A PLAN TO REMOVE THE EXISTING TEACHER SALARY SCHEDULE AND IMPLEMENT BETWEEN FIVE AND NINE CAREER BANDS, AMONG OTHER THINGS; BY ADDING ARTICLE 16 TO CHAPTER 18, TITLE 59 SO AS TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; BY ADDING SECTION 59‑17‑15 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION SHALL DEVELOP AND PROVIDE CERTAIN RECOMMENDATIONS CONCERNING THE CONSOLIDATION OF SCHOOL DISTRICTS; TO AMEND SECTION 59‑39‑100, RELATING TO REQUIREMENTS FOR HIGH SCHOOL DIPLOMAS, SO AS TO PROVIDE LOCAL SCHOOL BOARDS MAY REQUIRE ADDITIONAL UNITS OF STUDY FOR HIGH SCHOOL DIPLOMAS BEGINNING WITH STUDENTS ENTERING NINTH GRADE IN THE 2020‑2021 SCHOOL YEAR; BY ADDING ARTICLE 5 TO CHAPTER 19, TITLE 59 SO AS TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE REQUIREMENTS FOR LOCAL SCHOOL BOARD GOVERNANCE AND BOARD MEMBER CONDUCT, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL CODE OF ETHICS FOR LOCAL SCHOOL BOARD MEMBER CONDUCT, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT CODES OF ETHICS BASED ON THIS MODEL CODE, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT NEPOTISM POLICIES THAT MEET CERTAIN MINIMUM REQUIREMENTS, TO PROHIBIT CONFLICTS OF INTEREST BY SCHOOL BOARD MEMBERS, TO PROVIDE FOR THE REFERRAL OF CONFLICT OF INTEREST ALLEGATIONS TO THE STATE ETHICS COMMISSION UPON A TWO‑THIRDS VOTE OF SCHOOL BOARD MEMBERS PRESENT FOR SUCH A VOTE, TO REQUIRE NOTICE TO THE STATE BOARD OF EDUCATION WHEN A PUBLIC SCHOOL ACCREDITING BODY PLACES A DISTRICT OR SCHOOL ON A LEVEL OF ACCREDITATION THAT IMMEDIATELY PRECEDES ACCREDITATION LOSS FOR GOVERNANCE REASONS, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL CONDUCT A HEARING ON THE MATTER AND MAY RECOMMEND SUSPENSION OF A BOARD TO THE GOVERNOR, AND TO PROVIDE THE GOVERNOR MAY SUSPEND AN ENTIRE BOARD AND APPOINT A TEMPORARY BOARD; TO AMEND SECTION 59‑18‑920, RELATING TO THE REQUIREMENT THAT THE PERFORMANCE OF STUDENTS IN CHARTER SCHOOLS SPONSORED BY THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT MUST BE INCLUDED IN OVERALL PERFORMANCE RATINGS, SO AS TO PROVIDE THIS REQUIREMENT ALSO APPLIES TO CHARTER SCHOOLS SPONSORED BY REGISTERED INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59‑19‑55 SO AS TO PROVIDE SCHOOL BOARD TRUSTEES AND SCHOOL OFFICIALS SHALL COMPLY WITH CERTAIN ETHICS PROVISIONS APPLICABLE TO PUBLIC OFFICERS AND EMPLOYEES; BY ADDING SECTION 8‑13‑810 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL NOTIFY THE STATE ETHICS COMMISSION OF ANY SCHOOL BOARD TRUSTEE WHO FAILS TO COMPLETE REQUIRED ETHICS TRAINING, TO PROVIDE FAILURE OF A SCHOOL BOARD MEMBER TO COMPLETE THIS TRAINING CONSTITUTES A VIOLATION OF THE STATE ETHICS ACT AND SUBJECTS THE MEMBER TO CERTAIN CIVIL AND CRIMINAL PENALTIES, TO PROVIDE THE COMMISSION ALSO MAY IMPOSE ORAL OR WRITTEN WARNINGS OR REPRIMANDS, AND TO PROVIDE TRUSTEES MUST BE PROVIDED NOTICE AND OPPORTUNITY FOR A HEARING BEFORE THEIR POSITION ON THE SCHOOL BOARD MAY BE TERMINATED FOR VIOLATIONS OF THE STATE ETHICS ACT; TO AMEND SECTION 1‑3‑240, RELATING TO STATE AND COUNTY OFFICIALS SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR IN CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE SCHOOL BOARD TRUSTEES; TO AMEND SECTION 59‑19‑45, RELATING TO MANDATORY ORIENTATION FOR SCHOOL BOARD MEMBERS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL TRAINING PROGRAM FOR SCHOOL BOARD MEMBERS WHICH DISTRICTS SHALL ADOPT, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT LOCAL TRAINING PROGRAMS, AND TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH TRAINING TO BOARD MEMBERS WITHIN ONE YEAR AFTER TAKING OFFICE; TO AMEND SECTION 59‑19‑60, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES, SO AS TO REVISE THE GROUNDS FOR REMOVAL, THE MANNER OF REMOVAL, AND PROVISIONS CONCERNING THE FILLING OF SEATS VACATED BY REMOVAL, AMONG OTHER THINGS; BY ADDING SECTION 59‑1‑444 SO AS TO PROVIDE THE DEPARTMENT SHALL POST ALL REPORTS, STUDIES, PUBLISHED FINDINGS, MEMORANDA, GUIDELINES, RULES, AND CERTAIN OTHER DOCUMENTS ON ITS INTERNET WEBSITE WITHIN TWENTY‑FOUR HOURS AFTER BEING MADE PUBLIC, TO PROVIDE THE POSTING MUST BE IN A CERTAIN FORM AND MANNER EASILY LOCATABLE AND ACCESSIBLE FOR VIEWING AND DOWNLOADING BY THE PUBLIC, AND TO SUBJECT THE DEPARTMENT TO CERTAIN MONETARY FINES FOR NONCOMPLIANCE; TO AMEND SECTION 59‑19‑90, AS AMENDED, RELATING TO GENERAL POWERS AND DUTIES OF LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES MEMBERS, SO AS TO PROVIDE RULES ADOPTED BY THESE BOARDS MUST ALIGN WITH APPLICABLE STATE AND FEDERAL ACCOUNTABILITY STANDARDS; AND TO REPEAL ARTICLE 15 OF CHAPTER 18, TITLE 59 RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT AND SECTION 59‑59‑30 RELATING TO IMPLEMENTATION OF THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT.

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 “South Carolina Career Opportunity and Access for All Act”.

PART I

Statewide College and Career Readiness Goal

SECTION 2. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑485. Recognizing that a vibrant workforce is critical to sustaining and growing the economy of this State by servicing existing industry and attracting new industry, the State of South Carolina must endeavor to increase the number of South Carolinians who are ready and able to fill jobs demanded by a dynamic and evolving economy. To achieve this purpose, the State of South Carolina establishes an overall statewide workforce readiness goal of at least sixty percent of all working‑age South Carolinians having a post‑secondary degree or recognized industry credentials before the year 2030. The General Assembly is encouraged to reexamine and revise this goal on an ongoing basis as needed.”

PART II

Student Empowerment

SECTION 3. Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Article 15

Student Bill of Rights

Section 59‑63‑1510. This article must be known and may be cited as the ‘Student Bill of Rights’.

Section 59‑63‑1520. All students should expect the following:

(1) a General Assembly and Governor who are responsive to ideas for improvement throughout the zero to workforce education system;

(2) a State Superintendent of Education and State Board of Education that engage students in designing policies and programs that improve educational outcomes for all children;

(3) an education tailored to students’ individual needs which prepares them to be college‑ready, career‑ready, and civic‑ready for life beyond high school. To attain this education, students should:

(a) be afforded school districts that are financially stable and academically responsible to the educational needs of all students;

(b) be governed by school boards that are focused on serving the educational needs of students by acting ethically and hiring dedicated and qualified superintendents and other district staff;

(c) be led by superintendents who recruit and retain excellent principals and who ensure that school faculty and staff receive high quality professional development and support; and

(d) receive instruction and support from highly qualified teachers who strive to serve students with the highest professional integrity and always seek to improve their skills;

(4) to attend schools that are safe and well‑maintained;

(5) to feel mentally, physically, and emotionally safe while in school;

(6) to understand rules and procedures in their school, and have the opportunity to address unfair treatment;

(7) to have the option to attend schools outside of their zoned area that meet their individual needs and aspirations;

(8) to have parents or guardians who are involved with their student’s education and work with educators to promote their success; and

(9) to attend school in an educational system that puts their success first.”

SECTION 4. Section 59‑5‑10 of the 1976 Code is amended to read:

“Section 59‑5‑10. (A)(1) The State Board of Education ~~shall~~ must be composed of one member from each judicial circuit. The members shall serve terms of four years and until their successors are elected and qualify, except of those first elected, the members from the fifth, tenth and fourteenth circuits shall serve terms of one year; the members from the first, sixth, eighth and twelfth circuits shall serve terms of two years and the members from the fourth, seventh, ninth and eleventh circuits shall serve terms of three years. The terms of all members ~~shall~~ must commence on January first following their election.

(2) The legislative delegations representing the counties of each judicial circuit shall meet upon written call of a majority of the members of the delegations of each judicial circuit at a time and place to be designated in such call for the purpose of electing a member of the Board to represent such circuit. A majority present, either in person or by written proxy, of the members of the county legislative delegations from a given circuit shall constitute a quorum for the purpose of electing a member, but no person ~~shall~~ may be declared elected who shall fail to receive a majority vote of all the members of the county legislative delegations from the circuit. The joint county legislative delegations of each circuit ~~shall~~ must be organized by the election of a chairman and a secretary and such joint legislative delegations shall, subject to the provisions herein, adopt such rules as they ~~deem~~ consider proper to govern the election. Any absentee may vote by written proxy. When the election is completed, the chairman and secretary of the joint county legislative delegations of each circuit shall immediately transmit the name of the person elected to the Secretary of State who shall forthwith issue to such person, after he has taken the usual oath of office, a certificate of election as a member of the State Board of Education. The Governor shall thereupon issue a commission to such person and pending such issuance the certificate of election ~~shall~~ must be a sufficient warrant to such person to perform all of the duties and functions of his office.

(3) Any vacancy ~~shall~~ must be filled in the same manner as the original appointment for the unexpired portion of the term.

(4) Representation of a given judicial circuit on the State Board of Education ~~shall~~ must be rotated among the counties of the circuit, except by unanimous consent of all members of the county legislative delegations from the circuit. No member shall succeed himself in office except by unanimous consent of the members of the county legislative delegations from the circuit. Members of the legislative delegation of any county entitled to a member of the board shall nominate persons for the office, one of whom ~~shall~~ must be elected to the board.

(5) The board shall select its chairman and other officers to serve for such terms as the board may designate. Provided, the Superintendent of Education shall serve as secretary and administrative officer to the board. The board shall adopt its own rules and procedures. The chairman and other officers shall have such powers and duties as may be determined by the board not inconsistent with the law.

(6) At the initial meeting of the legislative delegations representing the counties of each circuit, it ~~shall~~ must be determined by lot the sequence in which each county ~~shall be~~ is entitled to nominate persons for the office.

(B) In addition to the members of the State Board of Education provided in subsection (A), the State Board of Education also shall include one nonvoting advisory member who is a public school student appointed by the Governor for a two‑year term. A nonvoting advisory member may not serve if he discontinues attending public school in this State. A vacancy must be filled for the remainder of the term. A person may serve no more than two years as a nonvoting advisory member. A nonvoting advisory member may not serve as chairman of the board.”

PART III

Creation of Zero to Twenty Committee

SECTION 5. Title 1 of the 1976 Code is amended by adding:

“CHAPTER 12

Zero to Twenty Committee

Section 1‑12‑110. (A) There is established within the Office of the Governor the ‘Zero to Twenty Committee’ which is created to:

(1) monitor the state education and workforce pipeline to continually determine the education and training levels required by the State’s employers;

(2) identify and recommend improvements regarding efficiency and cooperation of agencies and programs throughout the age zero to twenty education and workforce pipeline; and

(3) report findings and recommendations to the Governor and General Assembly on a continuous basis.

(B)(1) The committee shall consist of nine members. The Lieutenant Governor shall serve as chairman of the committee. The other members must be appointed as follows:

(a) three members appointed by the Governor;

(b) one member appointed by the Speaker of the House;

(c) one member appointed by the Chairman of the House Ways and Means Committee;

(d) one member appointed by the Chairman of the House Education and Public Works Committee;

(e) one member appointed by the President of the Senate;

(f) one member appointed by the Chairman of the Senate Finance Committee; and

(g) one member appointed by the Chairman of the Senate Education Committee.

(2) Committee members may not concurrently serve as a member of the General Assembly.

(C) A member must have a background in early childhood education, K‑12 education, higher education, workforce development, or economic development.

(D) A member of the committee shall serve for a term of five years and until their successors are appointed and qualified.

(E) A vacancy must be filled in the manner of the original appointment for the unexpired term.

(F) The committee shall employee an executive director, referred to as the ‘Education Tsar’, and appropriate staff to fulfill the requirements of this section.

(G) A member of the committee may serve no more than two consecutive terms. A member having served two consecutive terms may be eligible for reappointment one year after the expiration of his second term.

(H) The committee may elect other officers from among its members as necessary.

(I) A quorum for transacting business shall consist of a majority of the membership as constituted at the time of a meeting.

(J) A vacancy on the committee does not impair the right of the remaining members to exercise all the powers of the committee.

(K) A member of the committee is entitled to such per diem, mileage, and subsistence as is provided by law for boards, commissions, and committees.

(L) Initial appointments must be made by August 1, 2020, at which time the Governor or his designee shall call the first meeting.

Section 1‑12‑120. Before October 1, 2021, the committee shall establish a series of benchmarks that must include, but are not limited to the following:

(1) access to quality early learning, as determined by the committee, including the number of three and four‑year old children in quality early‑learning settings;

(2) third grade reading proficiency, including the percentage of third grade students who score ‘Meets’ or ‘Exceeds Expectations’ on the SC Ready assessment, or its successor;

(3) eighth grade mathematics, including the percentage of eighth grade students who score ‘Meets’ or ‘Exceeds Expectations’ on the SC Ready assessment, or its successor;

(4) high school graduation rates, including the percentages of students who graduated in four and five years;

(5) youth nonparticipation, including the percentage of South Carolina residents between sixteen and eighteen years of age who are not going to school on the secondary level or in adult education, not in the military, or not otherwise working;

(6) post‑high school enrollment, including the percentage of South Carolina high school graduates who are in postsecondary education the semester after graduation from high school or are gainfully employed; and

(7) post‑high school education attainment, including the percentage of South Carolina residents ages twenty‑two through sixty‑five who have completed a two‑or four‑year degree, or have received a nationally recognized certification as determined by the Department of Commerce.

Section 1‑12‑130. With assistance and consultation from the Department of Administration, the committee shall create a publicly accessible website that reports the information required in Section 1‑12‑120. The committee shall add language explaining the benchmarks and annually shall update the website to show the progress of the State toward meeting each goal.

Section 1‑12‑140. Beginning in 2021, the committee annually, before December first, shall provide a comprehensive report to the Governor and General Assembly that specifically identifies areas within the 0‑20 education and workforce pipeline where state agencies and other publically funded entities are failing to meet the benchmarks identified in this section. The committee must provide recommendations regarding ways that state and local efforts can be improved, ways that collaboration and cooperation among state and local agencies and resources can be increased, and efforts underway or being considered in other States that address the noted areas of concern. The committee also shall recommend legislation it considers necessary.”

PART IV

Enhancements to Workforce Preparation

Subpart I

Computer Science and Mathematics Coursework and Incentives

SECTION 6. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59‑29‑250. (A) The purpose of this section is to expand access to computer science learning experiences to all students because computer science supports literacy, math, problem‑solving, and technological skills, and advances productivity in every discipline, industry, and profession.

(B) The State Board of Education shall conduct, at least every five years, a cyclical review of grade appropriate standards for computer science, computational thinking, and computer coding for grades kindergarten through grade twelve. Experts and officials from higher education, business and industry, to include information technology or computer science, must be included in the review and development of the standards.

(C) No later than the beginning of the 2020‑2021 School Year, each public high school and public charter high school must offer at least one computer science course that:

(1) is rigorous and standards‑based;

(2) meets or exceeds the curriculum standards and requirements established by the State Board of Education;

(3) meets the needs of diverse students who will pursue postsecondary education or who will enter careers in computing and information technology upon graduation; and

(4) is made available in a traditional classroom setting, in a dual‑enrollment course, blended‑learning environment, online‑based, or other technology‑based format tailored to meet the needs of each participating student.

Information on computer science course offerings and student enrollment must be reflected on the annual high school report cards.

(D) Beginning in the 2020‑2021 School Year, the Department of Education shall:

(1) employ one full‑time employee whose sole responsibility is to coordinate and lead the South Carolina Computer Science Education Initiative, provided the employee must have prior work experience in the computer science or information technology industry;

(2) support K‑12 academic and computer science teachers in designing interdisciplinary, project‑based instruction and assignments that engage students in applying literacy, math, and computational thinking skills to solve problems;

(3) design career pathways that connect students to postsecondary programs, degrees, or postsecondary credentials in high demand career fields including, but not limited to, cybersecurity, information systems, informatics, computer engineering, and software development as identified by the Department of Commerce;

(4) offer professional development and teacher endorsements to new teachers who will teach computer science and complete a two‑to four‑week, full‑day summer institute that consists of thirty hours of instruction conducted over ten consecutive weekdays;

(5) provide information and materials which identify emerging career opportunities in computer science and related fields to parents, students, teachers, and guidance counselors; and

(6) assist districts in developing partnerships with business, industry, higher education, and communities to provide afterschool and extracurricular activities that engage students in computer science.

(E) The State Board of Education shall promulgate regulations to create certification pathways for computer science teachers. The Department of Education shall develop criteria for postsecondary computer science teacher preparation programs.

(F) Recognizing that successful implementation of computer science education requires effective instruction, the Department of Education shall develop guidelines for use by school districts and schools outlining the educational and degree requirements appropriate for computer science teachers. The Commission on Higher Education shall determine what, if any, financial incentives are needed by institutions of higher education to design programs to prepare and credential computer science teachers.”

Subpart II

Statewide Assessment Program Revisions

SECTION 7. Section 59‑18‑310(B)(1) of the 1976 Code is amended to read:

“(1) The statewide assessment program must include the subjects of English/language arts, mathematics, and science~~, and social studies~~ in grades three through eight, as delineated in Section 59‑18‑320, and end‑of‑course tests for courses selected by the State Board of Education and approved by the Education Oversight Committee for federal accountability, which award units of credit in English/language arts, mathematics, and science~~, and social studies~~. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.”

SECTION 8. Section 59‑18‑320(A) and (B) of the 1976 Code is amended to read:

“(A) After the first statewide field test of the assessment program in each of the ~~four~~ three 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, and pursuant to Section 59‑18‑325, the standards‑based assessment of mathematics, English/language arts, ~~social studies,~~ and science will be administered for accountability purposes 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. 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~~ three core content areas. 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.”

SECTION 9. Section 59‑18‑325(C)(3) of the 1976 Code is amended to read:

“(3) Beginning with the 2017‑2018 School Year, the department shall procure and administer the standards‑based assessments of mathematics and English/language arts to students in grades three through eight. The department also shall procure and administer the standards‑based assessment in science to students in grades four, six, and eight~~, and the standards‑based assessment in social studies to students in grades five and seven~~.”

Subpart III

Early Childhood Literacy Reports

SECTION 10. Chapter 156, Title 59 of the 1976 Code is amended by adding:

“Section 59‑156‑250. (A) Before August 1, 2021, the Office of First Steps to School Readiness and the State Department of Education shall report to the Speaker of the House and President of the Senate the following information:

(1) the number of four‑year‑olds eligible for the South Carolina Child Early Reading Development and Education Program, and the number of four‑year‑olds enrolled in, and the number funded, at the forty‑fifth and one hundred thirty‑fifth day of the program, provided this information must be reported by the school district and local First Steps partnerships, and must include the number of children served by public and private providers;

(2) kindergarten readiness assessment scores by district, differentiated by public and private providers;

(3) the number of K4 classrooms added in each of the previous five school years; and

(4) the number of K4 classrooms provided in item (3) that are considered to be high quality, and the basis for the determination.

(B) In addition to the requirements of subsection (A), the report also shall include a detailed plan for increasing the number of students served throughout the State, with an emphasis on districts in Tier III and IV counties as determined in Section 12‑6‑3360.

(C) Before August 1, 2023, the Office of First Steps to School Readiness and the State Department of Education shall issue an additional report to the Speaker of the House and President of the Senate updating the information originally reported in 2021 pursuant to subsection (A).”

SECTION 11.A. Section 59‑104‑20(G) of the 1976 Code is amended to read:

“(G) In addition to qualifications established by regulation, to qualify for a Palmetto Fellows Scholarship, a student shall:

(1) meet the following ~~three~~ four criteria:

(a) a minimum score of 1200 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score;

(b) a cumulative 3.5 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year; ~~and~~

(c) rank in the top six percent of the class at the end of the sophomore, junior, or senior year. When calculating eligibility for Palmetto Fellows Scholarships in schools where the top six percent of the graduating class is two students or less, the top two students must be considered for the scholarship regardless of class rank. The top six percent of the graduating class must meet all Palmetto Fellows Scholarship eligibility requirements in order to receive a scholarship. If the top six percent of the class is not a whole number of students, the Commission on Higher Education shall round up to the next whole number of students eligible; ~~or~~ and

(d) beginning July 1, 2024, earn at least one unit of credit in mathematics or computer science and one unit of credit in English/language arts during the senior year which may be accomplished by dual enrollment. These units must be provided at no cost to the student; or

(2) meet the following ~~two~~ three criteria:

(a) a minimum score of 1400 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score; ~~and~~

(b) a cumulative 4.0 grade point ratio on the Uniform Grading Scale at the end of the junior or senior year; and

(c) beginning July 1, 2024, earn at least one unit of credit in mathematics or computer science and one unit of credit in English/language arts during the senior year which may be accomplished by dual enrollment. These units must be provided at no cost to the student.

Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by the scholarship application deadline. For the purposes of meeting the rank criteria pursuant to this subsection, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the Palmetto Fellows Scholarship.”

B. The provisions of this SECTION do not apply to students in the senior class of the 2020‑2021 School Year.

SECTION 12.A. Section 59‑149‑50(A) of the 1976 Code is amended to read:

“(A) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State having earned at least one unit of credit in mathematics or computer science and one unit of credit in English/language arts which may be accomplished by dual enrollment during the senior year beginning July 1, 2024, a student who has completed at least three of the final four years of high school within this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent, or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in‑state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a 3.0 cumulative grade average on a 4.0 scale and have scored 1100 or better on the Scholastic Aptitude Test (SAT) or have the equivalent ACT score; provided that, if the student is to attend such a public or independent two‑year college or university in this State, including a technical college, the SAT requirement does not apply. If a student chooses to attend such a public or independent institution of this State and does not make the required SAT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.”

B. The provisions of this SECTION do not apply to students in the senior class of the 2020‑2021 School Year.

Subpart IV

Read to Succeed Initiative

SECTION 13. Chapter 155, Title 59 of the 1976 Code is amended by adding:

“Section 59‑155‑155. (A)(1) The State Board of Education shall approve no more than five reliable and valid early literacy and numeracy screening assessment instruments for selection and use by school districts in kindergarten through third grade.

(2) An early literacy assessment instrument must:

(a) provide screening and diagnostic capabilities for monitoring student progress in reading;

(b) measure, at a minimum, phonological awareness, decoding and encoding, fluency, vocabulary, and comprehension; and

(c) identify students who have a reading deficiency, including identifying students with characteristics of dyslexia.

(3) An early numeracy assessment instrument must provide screening and diagnostic capabilities.

(4) In determining which instruments to approve, the board shall consider, at a minimum, the following factors:

(a) the time required to conduct the assessments, with the intention of minimizing the impact on instructional time;

(b) the level of integration of assessment results with instructional support for teachers and students;

(c) the timeliness in reporting assessment results to teachers, administrators, and parents; and

(d) the level of integration of assessment results with instructional support for teachers and pupils.

(B) A district shall administer one or more instruments in the first thirty days of the school year and repeat, if indicated, at midyear and at the end of the school year to determine student progression in reading and numeracy in kindergarten through third grade. The department shall reimburse districts for the cost of the instrument or instruments selected upon receipt of assessment data used in the progress monitoring system. All school districts must use one of the literacy and numeracy screening instrument or instruments selected by the department; however, no literacy or numeracy screening instrument or instruments must be used by school districts to determine whether a student will be promoted to the next grade level. For the purposes of this section, ‘literacy’ means ability to read and write and ‘numeracy’ means fluency in understanding numbers and mathematical operations. Classroom teachers also must be provided support by the department in administering instruments and in understanding the results so that the teacher can provide the appropriate evidence‑based intervention.

(C) A school district may submit a waiver to the State Board of Education to use an alternative early literacy and numeracy screening assessment. The additional screener must meet minimum technical, administration, and content criteria as determined by the department.

(D)(1) The department shall:

(a) implement an online reporting system to monitor the effectiveness of the early literacy or numeracy screening assessment instruments; and

(b) require school districts annually to submit data requested by the department which may be used to determine whether the assessment instruments accurately are identifying students in need.

(2) The online reporting system provided in item (1) must:

(a) track, screen, and monitor the reading and early numeracy progress of students in kindergarten through third grade toward third grade reading proficiency and mathematics proficiency at the state, district, and school levels; and

(b) create a consistent statewide reporting mechanism to identify students with a reading deficiency, including students with dyslexia.

SECTION 14. Section 59‑155‑110(4) of the 1976 Code is amended to read:

“(4) each student receives targeted, effective, ~~comprehension~~ comprehensive support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade‑level texts;”

SECTION 15. Section 59‑155‑120(5) and (10) of the 1976 Code is amended to read:

“(5) ‘Reading interventions’ means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add‑on literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the Department of Education. An intervention must be evidence‑based and follow the three tiers of the Response to Intervention (RTI) framework.

(10) ‘Substantially fails to demonstrate third‑grade reading proficiency’ means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the statewide summative reading assessment ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~ in English/language arts.”

SECTION 16. Section 59‑155‑130(3) and (4) of the 1976 Code is amended to read:

“(3) working collaboratively with institutions of higher learning offering courses in reading and writing and those institutions of higher education offering accredited master’s degrees in reading‑literacy to design coursework leading to a literacy teacher add‑on endorsement by the State. The coursework must be founded on scientifically based reading practices and evidence‑based interventions, including how to use the data to identify struggling readers and inform instruction;

(4) providing professional development on scientifically based reading practices and evidence‑based interventions, including use of data to identify struggling readers and inform instruction in reading and coaching for already certified reading/literacy coaches and literacy teachers;”

SECTION 17. Section 59‑155‑140(B)(2)(a) is amended to read:

“(a) document the reading and writing assessment and instruction planned for all PK‑12 students and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade‑level texts. Supplemental instruction ~~shall~~ must be provided by teachers who have a literacy teacher add‑on endorsement and offered during the school day and, as appropriate, before or after school ~~in book clubs~~, through a summer reading camp, or both;”

SECTION 18. Section 59‑155‑150(B) of the 1976 Code is amended to read:

“(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon ~~formal diagnostic assessments or through teacher observations~~ universal screening and diagnostic assessments, must be provided intensive in‑class and supplemental reading intervention immediately upon determination. These assessments may be used to satisfy the screening requirements provided in Article 5, Chapter 33 of this title. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district’s reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in‑class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade‑level independently. In addition, the parent or guardian of the student must be notified, in writing, of the child’s inability to read grade‑level texts, the interventions to be provided, and the child’s reading abilities at the end of the planned interventions. The intensity and duration of the intervention must be appropriate to meet specific needs of each student to ensure that the student is on track to be reading on grade level by the end of the third grade. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office.”

SECTION 19. Section 59‑155‑160 of the 1976 Code is amended to read:

“Section 59‑155‑160. (A) Beginning with the 2017‑2018 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring at the lowest achievement level on the state summative reading assessment ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~ in English/language arts which indicates that the student needs substantial academic support to be prepared for the next grade level. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose individual education plan indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose Individual Education Plan or Section 504 Plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who demonstrate third‑grade reading proficiency on an alternative assessment approved by the board and which teachers may administer following the administration of the state assessment of reading;

(4) who have received two years of reading intervention and were previously retained;

(5) ~~who through a reading portfolio document, the student’s mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student’s mastery of the state English/language arts standards that are assessed by the grade three state reading assessment. The Read to Succeed Office shall develop the assessment tool for the student portfolio; however, the student portfolio must meet the following minimum criteria:~~

~~(a)~~ ~~be selected by the student’s English/language arts teacher or summer reading camp instructor;~~

~~(b)~~ ~~be an accurate picture of the student’s ability and only include student work that has been independently produced in the classroom;~~

~~(c)~~ ~~include evidence that the benchmarks assessed by the grade three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or teacher‑prepared assessments;~~

~~(d)~~ ~~be an organized collection of evidence of the student’s mastery of the English/language arts state standards that are assessed by the grade three state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and~~

~~(e)~~ ~~be signed by the teacher and the principal as an accurate assessment of the required reading skills~~ who, through a reading portfolio, documents that the student is reading on grade level and has mastered the third grade English/language arts standards. A student portfolio for promotion to fourth grade must meet the following criteria:

(a) consist only of grade‑level work selected by the student’s teacher from portfolio requirements;

(b) be an accurate representation of the student’s reading ability and only include student work that has been independently produced in the classroom;

(c) include clear evidence that the standards assessed by the third grade English/language arts assessment have been met. This clear evidence:

(i) must include multiple choice items and passages that are approximately fifty percent literary text and fifty percent informational text, and that are at least an average of five hundred words; and

(ii) could include chapter or unit tests from the district or school’s adopted core reading curriculum that are aligned with the state English/language arts standards or district or teacher‑prepared assessments that meet standards developed and reviewed by the department;

(d) be an organized collection of evidence of the student’s mastery of the state English/language arts standards that are assessed by the third grade statewide English language arts assessment. For each standard, there must be at least five work samples of mastery where the student attained a grade of seventy or higher. Demonstrating mastery of each standard is required; and

(e) be signed by the student’s teacher and the principal of the school, both attesting that the portfolio is an accurate assessment of the reading achievement level of the student and that the student possesses required reading skills to be promoted to fourth grade; and

(6) who successfully participate in a summer reading camp at the conclusion of the third grade year and demonstrate through either a reading portfolio or through a norm‑referenced, alternative assessment, selected from a list of norm‑referenced, alternative assessments approved by the Read to Succeed Office for use in the summer reading camps, that the student’s mastery of the state standards in reading is equal to at least a level above the lowest level on the state reading assessment.

(B) The superintendent of the local school district must determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for exemption must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student’s academic record. This evidence must be limited to the student’s individual education program, alternative assessments, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion to the district superintendent for final determination.

(3) The district superintendent’s acceptance or rejection of the recommendation must be in writing and a copy must be provided to the parent or guardian of the child.

~~(4)~~ ~~A parent or legal guardian may appeal the decision to retain a student to the district superintendent if there is a compelling reason why the student should not be retained. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a decision and provide copies to the parent or legal guardian and the principal.~~

(C)(1) Students eligible for retention under the provisions in Section 59‑155‑160(A) may enroll in a summer reading camp provided by their school district or a summer reading camp consortium to which their district belongs prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. The camps must be taught by compensated teachers who have at least an add‑on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts also may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith‑based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student’s participation in the summer reading camp.

(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and do not meet the good cause exemption. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59‑19‑90, except where a child is found to be reading below grade level in the first, second, or third grade and does not meet the good cause exemption.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and writing instruction, supplemental text‑based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student’s individual reading proficiency skills through small group instruction, reduced teacher‑student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The intensity and duration of the intervention must be appropriate to meet the specific needs of each student to ensure the student is on track to be reading at or above grade level by the end of the school year. The school must report to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.

(E) If the student is not demonstrating third‑grade reading proficiency by the end of the second grading period of the third grade:

(1)(a) his parent or guardian timely must be notified, in writing, that the student is being considered for retention and a conference with the parent or guardian must be held prior to a determination regarding retention is made, and conferences must be documented;

(b) within two weeks following the parent/teacher conference, copies of the conference form must be provided to the principal, parent or guardian, teacher and other school personnel who are working with the child on literacy, and summary statements must be sent to parents or legal guardians who do not attend the conference;

(c) following the parent/teacher retention conference, the principal, classroom teacher, and other school personnel who are working with the child on literacy must review the recommendation for retention and provide suggestions for supplemental instruction; and

(d) recommendations and observations of the principal, teacher, parent or legal guardian, and other school personnel who are working with the child on literacy must be considered when determining whether to retain the student.

(2) The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in evidenced‑based services outside the instructional day.

(F) For students in grades four and above who are substantially not demonstrating reading proficiency, interventions shall be provided by reading interventionists in the classroom and supplementally by teachers with a literacy teacher add‑on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school as documented in the district reading plan, and may include ~~book clubs or~~ summer reading camps.”

SECTION 20. Section 59‑155‑180 of the 1976 Code is amended to read:

“Section 59‑155‑180. (A) As a student progresses through school, reading comprehension in content areas such as science, mathematics, social studies, English/language arts, career and technology education, and the arts is critical to the student’s academic success. Therefore, to improve the academic success of all students in prekindergarten through grade twelve, the State shall strengthen its pre‑service and in‑service teacher education programs.

(B)(1) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 School Year, all pre‑service teacher education programs including MAT degree programs must require all candidates seeking certification at the early childhood or elementary level to complete a twelve credit hour sequence in literacy that includes a school‑based practicum and ensures that candidates grasp the theory, research, and practices that support and guide the teaching of reading. The six components of the reading process that are comprehension, oral language, phonological awareness, phonics, fluency, and vocabulary will provide the focus for this sequence to ensure that all teacher candidates are skilled in diagnosing a child’s reading problems and are capable of providing an effective intervention. All teacher preparation programs must be approved for licensure by the State Department of Education to ensure that all teacher education candidates possess the knowledge and skills to assist effectively all children in becoming proficient readers. The General Assembly is not mandating an increase in the number of credit hours required for teacher candidates, but is requiring that pre‑service teacher education programs prioritize their missions and resources so all early and elementary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(2) Beginning with students entering a teacher education program in the fall semester of the 2016‑2017 School Year, all pre‑service teacher education programs, including MAT degree programs, must require all candidates seeking certification at the middle or secondary level to complete a six credit hour sequence in literacy that includes a course in the foundations of literacy and a course in content‑area reading. All middle and secondary teacher preparation programs must be approved by the department to ensure that all teacher candidates possess the necessary knowledge and skills to assist effectively all adolescents in becoming proficient readers. The General Assembly is not mandating an increase in the number of semester hours required for teacher candidates but rather is requiring that pre‑service teacher education programs prioritize their mission and resources so all middle and secondary education teachers have the knowledge and skills to provide effective instruction in reading and numeracy to all students.

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children and adolescents in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2)(a) ~~A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job‑embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:~~

~~(a)~~ ~~model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;~~

~~(b)~~ ~~facilitate study groups;~~

~~(c)~~ ~~train teachers in data analysis and using data to differentiate instruction;~~

~~(d)~~ ~~coaching and mentoring colleagues;~~

~~(e)~~ ~~work with teachers to ensure that research‑based reading programs are implemented with fidelity;~~

~~(f)~~ ~~work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms; and~~

~~(g)~~ ~~help lead and support reading leadership teams~~ All reading coaches funded wholly or partially with state funds will serve as a stable resource for professional development throughout an elementary school to build master teachers of reading school‑wide to improve student reading achievement. Reading coaches will support and provide initial and ongoing professional development to teachers in:

(i) administration and analysis of screening, formative, diagnostic, and summative reading assessments to guide instruction;

(ii) scientifically based reading instruction, including phonological awareness, phonics, fluency, vocabulary, and comprehension, and the state’s English/language arts standards;

(iii) explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback; and

(iv) differentiated reading instruction and intensive intervention based on student needs.

(b) state‑funded reading coaches must have the following minimum qualifications:

(i) a bachelor’s degree and advanced coursework or professional development in reading. The State Board shall prescribe, by regulation, any coursework or professional development that a State‑funded reading coach is required to successfully complete;

(ii) three years of experience as a successful classroom literacy teacher;

(iii) exhibit knowledge of scientifically based reading research, special expertise in quality reading instruction and intervention, and data analysis;

(iv) strong knowledge base and experience in working with adult learners; and

(v) excellent communicators with outstanding presentation, interpersonal, and time management skills.

(c) The duties and responsibilities of a state‑funded reading coach must include:

(i) collaborate with the principal to create a strategic plan for coaching;

(ii) facilitate school‑wide professional development and study groups;

(iii) model effective reading instructional strategies for teachers;

(iv) coach and mentor teachers on a daily basis;

(v) facilitate data analysis discussions and support teachers with using data to differentiate instruction according to student need; and

(vi) work with all teachers, including Exceptional Student Education (ESE), content area, and elective areas, prioritizing their time to those teachers, activities, and roles that will have the greatest impact on student reading achievement, namely coaching and mentoring in classrooms.

(d) Reading coaches may not be required to perform administrative functions that will confuse their role for teachers.

(e) School districts shall monitor the implementation and effectiveness of the literacy coach and assure communication between the district, school administration, and the literacy coach throughout the year.

(f) Beginning with the 2019‑2020 School Year, as a condition for receiving the state appropriations for reading coaches, the State Department of Education shall screen and approve the hiring of all reading coaches in a district that has more than one‑third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment. In addition, each reading coach employed in a district having more than one‑third of its third grade students scoring at the lowest achievement level on the statewide summative English/language arts assessment and the principal of the elementary school in which the reading coach is assigned jointly shall attend professional development training provided by the department. The professional development for the principal and reading coach team must focus on the role of the reading coach in continuously improving reading to include the role of the reading coach and strategic plans for the coach to support teachers and scientifically based reading research and evidence‑based interventions to be implemented in the school.

(3) ~~The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments. By August 1, 2014, the department must publish guidelines that define the minimum qualifications for a reading coach. Beginning in Fiscal Year 2014‑2015, reading/literacy coaches are required to earn the add‑on certification within six years, except as exempted in items (4) and (5), by completing the necessary courses or professional development as required by the department for the add‑on. During the six‑year period, to increase the number of qualified reading coaches,~~ The Read to Succeed Office shall identify and secure courses and professional development opportunities to assist educators in becoming reading coaches and in earning the literacy add‑on endorsement. In addition, the Read to Succeed Office will establish a process through which a district may be permitted to use state appropriations for reading coaches to obtain in‑school services from department‑approved consultants or vendors, in the event that the school is not successful in identifying and directly employing a qualified candidate. Districts must provide to the Read to Succeed Office information on the name and qualifications of reading coaches funded by the state appropriations.

(4) Beginning in Fiscal Year 2015‑2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add‑on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements. Inservice hours earned through professional development for the literacy teacher endorsement must be used for renewal of teaching certificates in all subject areas. The courses and professional development leading to the endorsement must be approved by the State Board of Education and must include foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand‑alone practicum. Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add‑on reading teacher certification can take a content area reading course to obtain their literacy teacher add‑on endorsement. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework required for the literacy teacher add‑on certificate.

(5) Beginning in Fiscal Year 2015‑2016, middle and secondary licensed classroom teachers are required to take at least one course or three credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses and professional development must be approved by the State Board of Education and include courses and professional development leading to the literacy teacher add‑on endorsement. Coursework and professional development in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Individuals who possess a literacy teacher add‑on endorsement or who have earned a master’s or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts the to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add‑on certificate.

(6) Beginning in Fiscal Year 2015‑2016, principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office.

(7) The Read to Succeed Office shall publish by August 1, 2014, the guidelines and procedures used in evaluating all courses and professional development, including virtual courses and professional development, leading to the literacy teacher add‑on endorsement. Annually by January first, the Read to Succeed Office shall publish the approved courses and approved professional development leading to the literacy teacher add‑on endorsement.

(8) Beginning July 1, 2020, early childhood, elementary, and special education licensed teacher candidates must earn a passing score on a rigorous test of scientifically research‑based reading instruction and intervention and data‑based decision‑making principles as approved by the State Board of Education. The objective of this item is to ensure teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

(D)(1) Beginning July 1, 2020 and annually thereafter, the Commission on Higher Education, in consultation with the Learning Disorders Task Force created by Section 59‑33‑550, shall conduct an analysis to determine the effectiveness of each teacher education program in preparing teachers to diagnose a child’s reading problems and to provide small group and individual student interventions that are scientifically based and evidence‑based. At a minimum, the analysis must evaluate each teacher education program as it relates to preparing teachers with knowledge and expertise in the six components of the reading process:

(a) comprehension;

(b) oral language;

(c) phonological awareness;

(d) phonics;

(e) fluency; and

(f) vocabulary.

(2) The commission shall report its findings of its analysis conducted pursuant to item (1) and recommendations for improving teacher education programs to the department and to the General Assembly.”

Subpart V

Expanded Dual Enrollment Opportunities

SECTION 21. Section 59‑59‑210 of the 1976 Code is amended to read:

“Section 59‑59‑210. (A) ~~By September 2005, the Commission on Higher Education shall convene the Advisory Committee on Academic Programs to address articulation agreements between school districts and public institutions of higher education in South Carolina to provide seamless pathways for adequately prepared students to move from high school directly into institutions of higher education. The committee shall review, revise, and recommend secondary to postsecondary articulation agreements and promote the development of measures to certify equivalency in content and rigor for all courses included in articulation agreements. The advisory committee shall include representatives from the research institutions, four‑year comprehensive teaching institutions, two‑year regional campuses, and technical colleges. The committee, for purposes pursuant to this chapter, shall include representation from the State Department of Education, and school district administrators, to include curriculum coordinators and guidance personnel.~~

~~(B)~~ ~~By July 2006, the Advisory Committee on Academic Programs shall make recommendations to the Commission on Higher Education regarding coursework that is acceptable statewide for dual enrollment to be accepted in transfer within a related course of study. Dual enrollment college courses offered to high school students by two‑year and four‑year colleges and universities must be equivalent in content and rigor to the equivalent college courses offered to college students and taught by appropriately credentialed faculty. Related policies and procedures established by the Commission on Higher Education for dual enrollment and guidelines for offering dual enrollment coursework and articulation to two‑year and four‑year colleges and universities for awarding of credit must be followed.~~

~~(C)~~ ~~The advisory committee, in collaboration with the Department of Education, shall coordinate work to study the content and rigor of high school courses in order to provide a seamless pathway to postsecondary education.~~

~~(D)~~ ~~The Commission on Higher Education shall report annually to the Education and Economic Development Coordinating Council regarding the committee’s progress~~ The purpose of this section is to provide seamless pathways to prepare students for the move from high school directly into public institutions of higher education by creating a uniform system of dual enrollment college courses offered to high school students by public two‑year and four‑year institutions of higher learning beginning in the 2021‑2022 School Year. In terms of content and rigor, these dual enrollment college courses must be the equivalent of courses offered at public institutions of higher education to their students and must be taught by appropriately credentialed faculty.

(B)(1) To effectuate the purposes established in subsection (A), the Commission on Higher Education shall convene the Advisory Committee on Academic Programs before September 1, 2020, to develop a statewide secondary to postsecondary articulation agreement among all school districts and all public institutions of higher education in this State. The advisory committee must consist of representatives from:

(a) the research institutions, four‑year comprehensive teaching institutions, two‑year regional campuses, and technical colleges;

(b) the State Department of Education; and

(c) district curriculum coordinators and guidance personnel.

(2) The articulation agreement adopted by the advisory committee must include measures to certify that dual enrollment courses included in the articulation agreement are the equivalent of courses offered at public institutions of higher education to their students and are be taught by appropriately credentialed faculty and must be the sole authority for dual enrollment articulation.

(C) Before July 1, 2021, the Advisory Committee on Academic Programs shall make recommendations to the Commission on Higher Education regarding coursework that is acceptable statewide for dual enrollment to be accepted in transfer within a related course of study. The commission shall establish related requirements that two‑year and four‑year public institutions of higher learning must satisfy to offer dual enrollment coursework and award credit for this coursework.

(D) The advisory committee, in collaboration with the Department of Education, shall coordinate work to study the content and rigor of high school courses in order to provide a seamless pathway to postsecondary education.

(E) The Commission on Higher Education annually before July first shall report the progress of the committee to the Education and Economic Development Coordinating Council.

(F) Effective July 1, 2022, public institutions of higher learning and public school districts may not enter individual articulation agreements. Such articulation agreements entered before July 1, 2022 are void, but coursework completed by students pursuant to those agreements must be considered acceptable for college credit.”

Subpart VI

College Readiness

SECTION 22. Article 3, Chapter 18, Title 59 is amended by adding:

“Section 59‑18‑365. (A) For the purposes of monitoring student progress and tracking growth toward college and career readiness and beginning with the 2020‑2021 School Year, the Department of Education shall track student performance from kindergarten through grade twelve in reading and mathematics along a common, consistent scale that is nationally recognized and approved by the Education Oversight Committee. The department at least annually before July first shall provide the resulting measures of student performance to parents and teachers. These measures must be designed to help parents and teachers better understand what skills and concepts the student is ready to learn and help to form instruction, track growth, and identify appropriate resources for the students. The local school district also shall provide information on Lexile and Quantile measures on interim/benchmark assessments administered at the local school district or local school during the school year.

(B) The department shall provide online and printed resources for assisting parents in improving student growth in reading and mathematics to ensure all students graduate with the skills to be college and career ready. The parent resources must include information that identifies Lexile and Quantile scores recommended for specific careers.

(C) The department shall provide resources to assist teachers in using the common, consistent scale measures to improve the teaching and learning of reading and mathematics.

(D) Before the 2020‑2021 School Year, the department, local schools, and districts shall identify and administer assessments that can be linked to common, consistent scales. Formative assessments approved pursuant to Section 59‑18‑310 must provide a common, consistent scale in reading, mathematics, or both.

(E)(1) In kindergarten through second grade, local schools and districts may select assessments designed to measure students’ reading and mathematical performance that report the common, consistent scales. Those measures should then be reported to the department and also shared with students, parents, and teachers.

(2) In third grade through eighth grade, state assessments in English/language arts and mathematics that are administered and used for accountability purposes must provide Lexile measures that report information on the student’s reading ability and Quantile measures that describe the student’s understanding of mathematical skills and concepts at the individual student level.

(3) At the high school level where state assessments are not required, local schools and districts will administer locally determined tests to measure students’ reading ability and mathematical understanding on these same Lexile and Quantile scales. These tests should be selected not only based upon their ability to report Lexile and Quantile measures, but also on their connections to and appropriateness with the postsecondary pursuits of individual students. Those measures ~~shall~~ must be reported to the department and shared with students, parents, and teachers.

(F) Before January 1, 2021, the department and State Board for Technical and Comprehensive Education shall establish Lexile and Quantile scores that serve as common minimum admission scores as defined in Section 59‑53‑30 and shall provide guarantees that students with sufficient scores may not be required to attend or enroll in reading or mathematics remediation at the postsecondary level.”

SECTION 23. Section 59‑5‑65(7) of the 1976 Code is amended to read:

“(7) ~~By January 1, 1986, establish criteria for promotion of students to the next higher grade.~~

~~In grades 1, 2, 3, 6, and 8, a student’s performance on the Basic Skills Test of reading shall constitute twenty‑five percent of the assessment of his achievement in reading and his performance on the Basic Skills Test of mathematics shall constitute twenty‑five percent of the assessment of his achievement in mathematics. The State Board of Education shall specify other measures of student performance in each of these subjects which shall constitute the remaining seventy‑five percent of the student’s assessment.~~

~~Any student who fails to meet the criteria established by the Board for promotion to the next higher grade must be retained in his current grade or assigned to a remedial program in the summer or in the next year. Students assigned to the remedial program must meet the minimum criteria established by the Board for his current grade at the conclusion of the remedial program to be promoted to the next higher grade. All handicapped students as defined by federal and state statutes and regulations are subject to the provisions of this section unless the student’s individual education plan (IEP) as required by Public Law 94‑142 defines alternative goals and promotion standards.~~

~~Nothing in this subitem shall prohibit the governing bodies of the school districts of this State from establishing higher standards for the promotion of students.~~ A student who fails to meet readiness benchmarks for entry‑level college coursework in English and mathematics at a public institution of higher learning only may take remedial coursework for those subjects in public high schools. Public institutions of higher learning may not offer such remedial coursework in a standalone format or as enriched sections of entry‑level courses in English and mathematics.”

SECTION 24. Section 59‑18‑1950(B)(1) of the 1976 Code is amended to read:

“(1) The Revenue and Fiscal Affairs Office, working with the Office of First Steps to School Readiness, the South Carolina Department of Education, the South Carolina Commission on Higher Education, the Department of Social Services, the South Carolina Technical College System, the Department of Commerce, the Department of Employment and Workforce, and other state agencies or institutions of higher education, shall develop, implement, and maintain a universal identification system that includes, at a minimum, the following information for measuring the continuous improvement of the state public education system and the college and career readiness and success of its graduates:

(a) students graduating from public high schools in the State who enter postsecondary education ~~without the need for remediation~~;

(b) working‑aged adults in South Carolina by county who possess a postsecondary degree or industry credential;

(c) high school graduates who are gainfully employed in the State within five and ten years of graduating from high school; and

(d) outcome data regarding student achievement and student growth that will assist colleges of education in achieving accreditation and in improving the quality of teachers in classrooms.”

SECTION 25. Section 59‑101‑350(B)(4) of the 1976 Code is amended to read:

“(4) ~~the percent and number of students enrolled in remedial courses and the number of students exiting remedial courses and successfully completing entry‑level curriculum courses~~ Reserved;”

Subpart VII

Career and Technology Curricula

SECTION 26. Section 59‑59‑20 of the 1976 Code is amended to read:

“Section 59‑59‑20. (A)(1) ~~The Department of Education shall develop a curriculum, aligned with state content standards, organized around a career cluster system that must provide students with both strong academics and real‑world problem solving skills. Students must be provided individualized educational, academic, and career‑oriented choices and greater exposure to career information and opportunities. This system must promote the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.~~

~~(B) School districts must lay the foundation for the clusters of study system in elementary school by providing career awareness activities. In the middle grades programs must allow students to identify career interests and abilities and align them with clusters of study for the development of individual graduation plans. Finally, high school students must be provided guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study~~ The Department of Education, in collaboration with the Technical College System, the Commission on Higher Education, the Department of Employment and Workforce, and the Department of Commerce, shall develop a career pathways system that:

(a) aligns public education and postsecondary education systems and the career and technology education services provided within and across program providers;

(b) aligns with state and regional workforce needs;

(c) provides students, teachers, parents, and families with general information about career pathways and with strategies to support students in acquiring the academic, employability, and technical skills that employers demand; and

(d) promotes the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.

(2) After developing the career pathways system provided in subsection (A), the department shall develop a curriculum that:

(a) is aligned with state content standards, organized around the career pathways system and system of career clusters aligned with state and regional workforce needs as determined by the Department of Commerce;

(b) provides students with both strong academics and real‑world problem‑solving skills;

(c) provides students with individualized educational, academic, and career‑oriented choices and greater exposure to career information and opportunities; and

(d) provides online and printed resources for assisting parents in improving student growth in reading and mathematics to ensure all students graduate with the skills to be college and career ready. These parent resources must include information that identifies specific careers and the reading and mathematics demands expected in those careers.

(B)(1) In elementary school, districts shall establish a foundation for the career pathways system and career clusters by providing career awareness activities and, at least annually, informing students, parents, and teachers of the student’s progress toward having the academic skills in reading and mathematics needed to be career ready and college ready.

(2) In middle school, districts shall assist students in:

(a) identifying career interests and abilities; and

(b) developing individual graduation plans that align the interests and abilities of the student as identified pursuant to subitem (a) with related career pathways and clusters of study.

(3) In high school, districts shall provide guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study.”

SECTION 27. Section 59‑59‑50 of the 1976 Code is amended to read:

“Section 59‑59‑50. (A)(1) ~~Before July 1, 2006, the Department of Education shall develop state models and prototypes for individual graduation plans and the curriculum framework for career clusters of study. These clusters of study may be based upon the national career clusters and may include, but are not limited to:~~

~~(1) agriculture, food, and natural resources;~~

~~(2) architecture and construction;~~

~~(3) arts, audio‑video technology, and communications;~~

~~(4) business, management, and administration;~~

~~(5) education and training;~~

~~(6) finance;~~

~~(7) health science;~~

~~(8) hospitality and tourism;~~

~~(9) human services;~~

~~(10) information technology;~~

~~(11) law, public safety, and security;~~

~~(12) manufacturing;~~

~~(13) government and public administration;~~

~~(14) marketing, sales, and service;~~

~~(15) science, technology, engineering, and mathematics; and~~

~~(16) transportation, distribution, and logistics.~~ Beginning with the 2020‑2021 School Year and every five years thereafter, the Department of Education shall:

(a) develop pathways under each career cluster; and

(b) develop programs of study under each pathway.

(2) In developing programs of study as provided in item (1) (b), the department shall emphasize the high‑skill and in‑demand pathways that the state Workforce Innovation and Opportunity Act plan and Coordinating Council for Workforce Development have identified as critical to the state’s workforce development system.

(B) The Department of Education is to include in the state models and prototypes for individual graduation plans and curriculum framework the flexibility for a student to develop an individualized plan for graduation utilizing courses offered within the clusters at the school of attendance. Any plan of this type is to be approved by the student, parent or guardian, and the school guidance staff.

(C) Before August 1, 2021, the Department of Education, the Department of Employment and Workforce, the Technical College System, and Commission on Higher Education, in collaboration with the Department of Commerce, shall develop a pathway certification process for high schools and postsecondary institutions. To ensure students have seamless pathways to in‑demand careers, the Regional Education Centers shall create alignment between public education and postsecondary education and employers.”

SECTION 28. Section 59‑59‑60 of the 1976 Code is amended to read:

“Section 59‑59‑60. ~~Before July 1, 2007, school districts shall:~~

~~(1)~~ ~~organize high school curricula around a minimum of three clusters of study and cluster majors. The curricula must be designed to provide a well‑ rounded education for students by fostering artistic creativity, critical thinking, and self‑discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life;~~

~~(2)~~ ~~promote increased awareness and career counseling by providing access to the South Carolina Occupational Information System for all schools. However, if a school chooses another occupational information system, that system must be approved by the State Department of Education~~ Beginning with the 2021‑2022 School Year, school districts shall:

(1) organize high school curricula around a minimum of three career pathways that identify the regional and state workforce needs. The district must offer at least one pathway in each career center or in each high school and at least one high‑skill and in‑demand pathway as identified in the state’s Workforce Innovation and Opportunity Act plan. The curricula must be designed to provide a well‑rounded education to prepare students for multiple pathways, including postsecondary credentials. The pathways must foster the life and career characteristics, world class knowledge, and skills identified in the Profile of the South Carolina Graduate;

(2) promote increased awareness and career counseling that focus on the regional and state workforce needs and on the careers that require a high school diploma, industry certification, postsecondary degree, or postsecondary credential; and

(3) review the pathways selected by the districts every three years and determine if a different pathway is more appropriate for local workforce needs. Districts shall report their process used in determining whether to keep or replace a pathway to the State Board of Education.”

Subpart VIII

Technical College Access and Affordability

SECTION 29. Section 59‑53‑30 of the 1976 Code is amended to read:

“Section 59‑53‑30. (A) The State Board for Technical and Comprehensive Education shall establish common minimum admission scores for institutions within its jurisdiction, and may differentiate scores based on areas of study for programs that award credit toward a degree, certificate, or diploma. For individuals who do not meet the minimum scores, the colleges shall provide information regarding continuing education programs and other programs that do not award credit toward a degree, certificate, or diploma.

(B) Institutions of the South Carolina Technical Education System shall ~~maintain open admissions policies unless determined to be economically unfeasible by the State Fiscal Accountability Authority and~~ establish and maintain low tuition and fees in order to provide access to post‑secondary education and insure that such educational opportunities shall not be denied to anyone.

(C) Upon request and justification and with the approval of the State Board of Education, the Board may authorize an institution within its jurisdiction to contract with local school districts to offer adult literacy courses and programs and secondary‑level vocational courses and programs.

(D) Upon request and justification and with the approval of the Commission on Higher Education, the Board may authorize an institution within its jurisdiction to offer two‑year college parallel programs. The Commission on Higher Education shall approve all criteria for college parallel courses.”

SECTION 30. Section 59‑150‑360(A) and (F) of the 1976 Code is amended to read:

“(A)(1) A person who qualifies for in‑state tuition rates pursuant to Chapter 112, Title 59 may receive tuition assistance to attend a technical college of this State or a public two‑year institution of higher learning. A person who qualifies for in‑state tuition rates pursuant to this title may attend an independent two‑year institution of higher learning and receive lottery tuition assistance each year limited to the highest amount of tuition assistance received by students at public two‑year institutions. In order to qualify as a first time entering freshman and before attempting twenty‑four academic credit hours, a student must:

(~~1~~a) be a South Carolina resident for a minimum of one year;

(~~2~~b) be enrolled and maintain six credit hours each semester in a certificate, degree, or diploma program, or be enrolled in a noncredit program that awards a nationally recognized business or industry credential as defined by the State Board for Technical and Comprehensive Education;

(~~3~~c) make reasonable progress toward completion of the requirements for the certificate, degree, or diploma program;

(~~4~~d) if enrolled in a program awarding college credit, complete a Free Application for Federal Student Aid (FAFSA) application. If a student feels that he will definitely not qualify to receive federal financial aid, the student may complete a simple form of minimum questions created by the State Board for Technical and Comprehensive Education and the Commission on Higher Education to determine if the student definitely will not qualify to receive federal financial aid. If it is determined that the student definitely will not qualify to receive federal financial aid, the student shall sign a form created by the State Board for Technical and Comprehensive Education and the Commission on Higher Education, and the student is exempted from completing the Free Application for Federal Student Aid. The State Board for Technical and Comprehensive Education and the Commission on Higher Education shall promulgate regulations to set thresholds for determining if a student definitely will not qualify to receive federal financial aid; ~~and~~

(~~5~~e) not be the recipient of a LIFE Scholarship; and

(f) for a student enrolled in a noncredit program that awards a nationally recognized business or industry credential as defined by the State Board for Technical and Comprehensive Education, the student shall have graduated from high school or earned an equivalent high school credential within seven years of first entering the ninth grade.

(2) Regulations for implementation of this section are the responsibility of the South Carolina State Board for Technical and Comprehensive Education, for the technical college system, and the Commission on Higher Education, for the two‑year public and private institutions. These regulations must be developed in a coordinated effort, provide for the allocation of funds based on the tuition assistance granted at each institution, and be interchangeable between each of the institutions affected.

(F) In order for a student seeking credit hours for a certificate, degree, or diploma to be eligible after attempting twenty‑four academic credit hours the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.”

SECTION 31. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3800. A taxpayer who employs a public school grade 6‑12 teacher as an intern, for no less than sixty and no more than eighty hours each calendar year, pursuant to an agreement registered with the Department of Education, is allowed a credit against the income tax imposed pursuant to this chapter equal to two thousand dollars for each teacher employed. The internship must be approved by the school district in which the teacher is employed based on criteria provided by the Department of Education in an effort to increase the number of teachers who understand the skills and abilities needed for twenty‑first century jobs. Each school district shall report annually to the Department of Education the number of teachers participating in an internship and the number of hours each teacher is employed. The Department of Revenue shall prescribe a form to claim this credit that provides information to the department sufficient for the proper administration of this credit.”

Subpart IX

Transfer of Adult Education and Secondary Education

SECTION 32. Because South Carolina must increase the percentage of working‑aged adults with a postsecondary degree or industry credential, the General Assembly directs the State Board for Technical and Comprehensive Education and the State Board of Education to provide a report to the General Assembly before July 1, 2021, specifically delineating the following:

(1) how to best transfer adult basic education and adult secondary education from the State Board of Education to the State Board for Technical and Comprehensive Education. The report must include, but is not limited to, the following:

(a) all sources of funding that are currently appropriated to adult education programs;

(b) the administrative structure of adult education including how the State Board for Technical and Comprehensive Education will facilitate the collaboration of core partners and service providers under the Workforce Innovation and Opportunity Act (WIOA) at the state level and within regional service areas;

(c) results of student assessments, including passage rates for high school equivalency examinations;

(d) a listing of personnel involved both directly and indirectly in adult education; and

(e) a timeline for the complete transfer of the programs to the State Board for Technical and Comprehensive Education; and

(2) how to best use Career and Technology Centers owned and operated by local school districts and technical college facilities in order to provide improved and updated career and technical education. The report must include, but is not limited to, the following:

(a) how to offer increased access to career and technology education to all high school students with emphasis on students in rural areas who live more than ten miles from a facility that they may currently attend;

(b) steps necessary to create memoranda of understanding between technical colleges and local school district to allow high school students greater access to technical colleges;

(c) transportation and liability issues regarding high school students attending technical colleges for career and technology education;

(d) the feasibility of creating regional career and technology centers;

(e) all sources of funding currently appropriated for high school career and technical education;

(f) listing of personnel involved both directly and indirectly in high school career and technical education; and

(g) a plan, which must include a timeline, for moving the operation of all career and technology centers to technical colleges.

Subpart X

Schools of Innovation

SECTION 33. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“(A) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school~~ schools of ~~choice~~ innovation within the district that is exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education.”

PART V

Educator Development and Satisfaction

Subpart I

Educator Preparation

SECTION 34. Article 11, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑8‑1115. (A) A school that receives an overall rating of ‘Good’ or ‘Excellent’ on its annual report card for at least two consecutive years may hire noncertified teachers in a ratio of up to twenty‑five percent of its entire teaching staff. A noncertified teacher must possess a baccalaureate or graduate degree in the subject he is hired to teach and must have at least five years of relevant workplace experience as determined by the local school board of trustees.

(B) The State Board of Education shall require districts employing noncertified teachers to individually register those individuals with the department. Districts shall notify the department within thirty days if any registered noncertified teacher is terminated from employment and the reason for termination.”

SECTION 35. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑25. (A) Educator preparation programs housed within an institution of higher education (IHE) may submit a separate and distinct educator preparation program for alternative preparation to the State Board of Education for approval. These alternative preparation programs are not required to be nationally accredited, but, consistent with other alternative preparation programs, IHE‑led alternative programs must include, but are not limited to, documented evidence of the following:

(1) budget and sources of revenue including fees paid by the candidates;

(2) organizational information including the names and qualifications of administrators, support staff, and faculty;

(3) entry requirements for candidates for each certification area program offered by the applicant;

(4) plans for curriculum offerings including delivery method and timeframe, field placements, field supervision plans, and assessments of success;

(5) partnerships with public schools for clinical experiences, if applicable, including signed memoranda of agreement with detailed responsibilities for the alternative route educator provider program and the school district;

(6) evidence of annual successful teaching experience by the candidates and progress toward obtaining a professional certificate;

(7) ongoing monitoring of candidates’ performances in the classroom while in the alternative route program; and

(8) mentoring provided by the educator preparation program.

(B) The department annually shall report the total number of individuals employed in this State, by district, with certificates issued by IHE alternative programs to the State Board of Education and the General Assembly before March thirty‑first of each year.”

SECTION 36. Section 59‑26‑20 of the 1976 Code is amended by adding a subsection at the end to read:

“( ) The State Board shall promulgate regulations regarding a cyclical evaluation process for all approved teacher educator programs. The cyclical evaluation period must be no longer than five years. The regulations must list requirements for approval and must include evidence of annual successful teaching experience of educators differentiated by program. The regulations shall include a process for revocation of program approval.”

SECTION 37. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑35. (A) The State Board of Education, with the assistance of the Department of Education, the South Carolina Commission on Higher Education, and Revenue and Fiscal Affairs Office, shall develop and annually shall publish before November first an online report card known as the ‘South Carolina Teacher Preparation Report Card’. The report card shall evaluate the ability of educator preparation programs, including alternative programs, to train new teachers for success in South Carolina’s classrooms. The report card must include data on a variety of measures to provide an overall picture of how well each educator preparation program prepares effective teachers and meets state goals, including, but not limited to, the following:

(1) number of undergraduate and graduate completions;

(2) placement and retention rates by district and region of the state;

(3) performance of candidates on basic skills examination;

(4) ability of program to recruit a strong, diverse cohort of candidates and prepare them to teach in the content areas of greatest need;

(5) quality of clinical experiences; and

(6) effectiveness of individuals who completed a provider’s program and are employed in a public school classroom. The information must be differentiated by provider and, where applicable, across content areas.

(B) The State Department of Education, eacheducator preparation program, and each school district shall report all data as requested by the State Board of Education to complete the evaluation.”

SECTION 38. Chapter 26, Title 59 of the 1976 Code is amended by adding:

“Section 59‑26‑120. (A) The State Department of Education annually before December first shall provide each college of education and state‑approved educator preparation program with information regarding its graduates. Information must be provided to a college of education or educator preparation program regarding each of its individual educator graduates and must include, but is not limited to:

(1) SCPASS and SC READY, or the succeeding assessment, scores aggregated by classroom, content, and/or grade, school, district, and learner demographic;

(2) Student leaning objective data aggregated by classroom, content, and/or grade, school, district, and learner demographic;

(3) results of ADEPT Evaluation by individual educator graduate;

(4) records of employee certification by individual educator graduate; and

(5) other information requested by the programs designed to enhance the ability of the college of education or educator preparation program to provide improved education services.

(B) A college of education or educator preparation program receiving individualized information regarding its graduates pursuant to subsection (A) shall:

(1) develop and use a unique system for identifying each individual educator graduate for whom it receives such individualized information;

(2) strictly maintain the confidentiality of all information that can be used to identify an individual educator graduate for whom it receives such information; and

(3) not share such information with a third party without the express written consent of the educator.

(C) Information provided to a college of education or educator preparation program pursuant to this section is not subject to the provisions of the Freedom of Information Act.”

Subpart II

Satisfaction Survey

SECTION 39. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑52. (A) Recognizing that supportive working conditions for teachers make it more likely that teachers will continue with, and prosper in the profession, the Center for Educator Recruitment, Retention and Advancement shall use and update the teacher survey currently administered by the department. The center semiannually shall administer the uniform, confidential, and online survey of all public school teachers to evaluate teacher satisfaction, especially teacher perceptions of their existing working conditions associated with the basic psychological needs of competence, autonomy, and relatedness. Among other things, the survey should assess teacher perceptions of:

(1) administrative support;

(2) student behavior;

(3) decision making roles;

(4) parental support;

(5) amount of paperwork and routine duties;

(6) availability of resources;

(7) communication with principal;

(8) cooperation among the staff;

(9) staff recognition;

(10) control in classroom;

(11) influence over school policy;

(12) student absenteeism;

(13) student apathy; and

(14) violence.

(B) The results of this survey must be compiled, analyzed, and reported for each school, district, and statewide. These reports must be:

(1) provided to the Education Oversight Committee and each school district board, school district superintendent, school principal, and school teacher; and

(2) published on the websites of the State Department of Education, each school district, and each school. A district only must publish the results for the district and a school only must publish the results for the school. Yearly results must be published online and maintained for ten years.”

Subpart III

Incentives

SECTION 40. Section 59‑20‑50 of the 1976 Code is amended to read:

“Section 59‑20‑50. ~~(1)~~ ~~Notwithstanding the computations prescribed in Section 59‑20‑40, the level of state contributions to each district shall not be reduced to a per‑pupil level of foundation program funds below that per‑pupil level of state funding of programs for the fiscal years prior to implementation of this chapter which will be incorporated in the foundation program.~~

~~Provided, no district shall receive annually an increase in state funds less than the full rate of the inflationary adjustment in the base student cost specified in Section 59‑20‑40(1)(b). This increase shall be computed annually over and above the amount actually received from the State for the foundation program in the prior fiscal year.~~

~~Provided, further, after the fiscal year 1982‑83 no district shall receive annually an increase in state funds less than four‑fifths of the inflationary adjustment in the base student cost specified in Section 59‑20‑40(1)(b). This increase shall be computed annually over and above the amount actually received from the State for the foundation program in the prior fiscal year.~~

~~Beginning July 1, 1994, no additional school district shall receive hold‑harmless funds under this subsection due to decreases in student numbers or upward adjustments in the index of taxpaying ability.~~

~~(2) Notwithstanding any provisions of this chapter, any local school district may increase the local effort above the foundation program funding level as deemed necessary to meet the aspirations of the people of the district.~~

~~(3) Eighty‑five percent of the funds appropriated through state and local effort for each weighted classification shall be spent in direct and indirect aid in the specific area of the program planned to serve those children who generated the funds. Districts expending less than the required eighty‑five percent of the appropriated amount shall be subject to a penalty the following fiscal year in the amount equal to the difference between the amount spent and the required eighty‑five percent figure.~~

~~However, this requirement shall not apply to the funds generated by children in the pupil classification “Speech Handicapped Pupils”.~~

~~(4)(a) Each school district shall pay each certified teacher or administrator an annual salary at least equal to the salary stated in the statewide minimum salary schedule for the person’s experience and class. No teacher or administrator employed in the same position, over the same time period, shall receive less total salary, including any normal incremental increase, than that teacher or administrator received for the fiscal year before the implementation of this article.~~

~~(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, the 1.000 figure in the index must be adjusted on a schedule to stay at the southeastern 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 average teacher salary is the average of the average teachers’ salaries of the southeastern states. In projecting the southeastern 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~~ Beginning in Fiscal Year 2019‑2020, the starting salary for a teacher with no years of experience and a bachelor’s degree must be at least $35,000. The General Assembly shall establish the starting teacher salary each year in the annual appropriations bill. Before July 2021, the State Department of Education shall develop and report to the General Assembly a plan to remove the existing teacher salary schedule and implement at least five, but no more than nine, career bands. The report must include requirements for teacher advancement to each progressive band.”

SECTION 41. Section 59‑111‑110 of the 1976 Code is amended to read:

“Section 59‑111‑110. (A) No tuition may be charged for a period of four school years by any state‑supported college or university or any state‑supported vocational or technical school for children of:

(1) firemen, both regularly employed and members of volunteer organized units, organized rescue squad members, members of the Civil Air Patrol, law enforcement officers, or corrections officers, as defined herein, including reserve and auxiliary units of counties or municipalities who become totally disabled or are killed in the line of duty on or after July 1, 1964;

(2) government employees who become totally disabled or are killed in the line of duty while working on state time on or after July 1, 1996, as a result of a criminal act committed against them which constitutes a felony under the laws of this State; or

(3) full‑time certified classroom teachers with at least five years of teaching service who are employed in schools that have an absolute rating of unsatisfactory for at least three of the previous four years. The teacher shall serve as a full‑time classroom teacher for the duration of the time the child is in a state‑supported college, university, or vocational or technical school.

(B) The tuition authorized to be paid by this section applies only to undergraduate courses or curriculum and may be paid for a period not exceeding four years, regardless of the number of state‑supported colleges, universities, or state‑supported vocational or technical schools the child attends.”

SECTION 42. Article 3, Chapter 111, Title 59 of the 1976 Code is amended by adding:

“Section 59‑111‑155. For the purposes of this article, a ‘public school teacher’ means a full‑time teacher who is on a continuing contract status and is highly effective as determined by the state’s educator evaluation system.”

SECTION 43. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59‑19‑360. The board of trustees of a local school district may authorize the daily mileage reimbursement of a teacher who must travel more than twenty‑five miles each way between home and school. This reimbursement may not exceed the existing federal reimbursement rate for mileage.”

PART VI

Help for Students in Underperforming Schools

SECTION 44. Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Article 16

Increasing Accountability

Section 59‑18‑1615. (A) When an elementary or middle school receives an overall rating of below average or unsatisfactory, or fewer than twenty‑five percent of its students are at ‘meets’ or ‘exceeds expectations’ on the English/language arts and mathematics SC READY assessment or its successor assessment, or when a high school receives an overall rating of below average or unsatisfactory or fewer than twenty‑five percent of its students score at least a C or better on end‑of‑course assessments in English and mathematics, the faculty of the school with the leadership of the principal must review its renewal plan and revise it with the assistance of the school improvement council established in Section 59‑20‑60. The revised plan shall be the school turnaround plan and must:

(1) consider every aspect of schooling and must outline activities that, when implemented, reasonably may be expected to improve student performance and increase the rate of student progress;

(2) provide a clear and coherent plan for professional development that is ongoing, job related, and keyed to improving teaching and learning;

(3) establish specific annual targets for improving student academic achievement for elementary and middle schools;

(4) establish specific annual targets for improving student academic achievement, on‑time graduation rates, and college and career readiness for high schools;

(5) identify how existing resources and technical assistance funds provided by the State or by Title I federal funds can be targeted to improve student outcome with specific actions to improve the recruitment and retention of highly effective teachers;

(6) address professional development activities that are directly related to instruction in the core subject areas and may include the use of funds appropriated for technical assistance to provide compensation incentives in the form of salary supplements to classroom teachers who are certified by the State Board of Education, the purpose of such compensation packages being to improve student achievement and to improve the recruitment and retention of highly effective teachers as determined by average student growth in schools designated as below average or unsatisfactory; and

(7) include a time line for implementation of the activities and the goals in item (6) to be achieved.

(B) For schools identified in subsection (A), the department shall assist schools and school districts as they work to improve classroom practice and student performance by:

(1) establishing an ongoing state mechanism to promote successful programs found in South Carolina schools for implementation in schools with similar needs and students, to review evidence on instructional and organizational practices considered to be effective, and to alert schools and classroom teachers to these options and the sources of training and names of implementing schools;

(2) providing information and technical assistance in understanding state policies, how they fit together, and the best practice in implementing them; and

(3) establishing a process for monitoring information provided for accountability and for assessing improvement efforts and implementation of state laws and policies which focuses on meeting the intent and purpose of those laws and policies.

(C) For schools identified in subsection (A), the local school district board of trustees, in consultation with the department, shall assist schools by:

(1) creating a stakeholder group that includes local representatives from the Department of Social Services, Department of Mental Health, Department of Employment and Workforce, and law enforcement; and

(2) including in the creation of the renewal plan, after considering the recommendations of the local stakeholder group, the following:

(a) steps to address social service and health needs of students at the school and their families, to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening;

(b) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school community, in order to promote a safe and secure learning environment;

(c) steps to improve workforce development services provided to students and their families at the school, to provide students and families with meaningful employment skills and opportunities;

(d) steps to address achievement gaps for limited English proficient, special education and low‑income students;

(e) alternative English language learning programs for limited English‑proficient students; and

(f) a financial plan for the school, including any additional funds to be provided by the district, state, federal government, or other sources.

(D) Once the revised plan is developed, the district superintendent and the local board of trustees shall review the plan to determine if it focuses on strategies to increase student academic performance and college and career readiness. Once the district board has approved the plan, the district shall delineate the strategies and support it will give the plan. The State Board of Education shall review and approve the plan and supporting strategies. The approved plan must be submitted to the Department of Education and posted on the respective websites of the department, the school, and the district. Annually, the district superintendent and the local board of trustees shall submit to the Department of Education updates on implementation of the plan and how it measures the impact of the activities in the plan. These annual reports must be provided to the State Board of Education and the department shall make these annual reports publicly available on its website.

(E) After the approval of the revised plan, the respective professional growth plans for principals and teachers required by Sections 59‑26‑40 and 59‑24‑40 must:

(1) be reviewed by the department and amended to reflect the professional development needs identified in the revised plan; and

(2) establish individual improvement criteria on the performance dimensions for the next evaluation.

(F) The school, in conjunction with the district board, must inform the parents of children attending the school of the ratings received and must outline the steps in the revised plan to improve performance, including the support which the board of trustees has agreed to give the plan. This information must be:

(1) provided to the parents no later than February first of the year following the publication of the rating; and

(2) advertised in at least one South Carolina daily newspaper of general circulation in the area, provided this must:

(a) be published within ninety days of receipt of the report cards issued by the Department of Education and must be a minimum of two columns by ten inches (four and one‑half by ten inches) with at least a twenty‑four‑point bold headline; and

(b) include the name of school district, name of superintendent, name of the chair of the local school board of trustees, district office telephone number, name of school, name of principal, telephone number of school, the overall performance rating of the school, the ratings on the school by indicator, and strategies that the district and school must use to improve student outcomes of all students as measured on the report card.

(G) Upon a review of the plan to ensure it contains sufficiently high standards and expectations for improvement, the Department of Education is to delineate the activities, support, services, and technical assistance it will make available to support the school’s plan and sustain improvement over time. The department annually before January first shall report to the General Assembly and Governor on the activities, support, services, and technical assistance provided to each school and the projected and actual impact of such intervention.

(H)(1) The school shall offer an orientation class for parents which focuses on:

(a) the value of education;

(b) academic assistance programs that are available at the school and in the community;

(c) student discipline;

(d) school policies;

(e) explanation of information that will be presented on the school’s report card issued in November; and

(f) other pertinent issues.

(2) The school shall offer the orientation class each year the school receives an overall rating of unsatisfactory or below average on the school report card and shall provide parents with written notification of the date, time, and location of the meeting. A school shall offer the orientation class:

(a) at a time when the majority of parents are able to attend; and

(b) in community settings or workplaces to better meet the needs of parents with transportation difficulties or scheduling conflicts.

(I)(1) The Department of Education shall implement the provisions of this section through the Office of Transformation. The office shall provide technical assistance to underperforming schools and districts through tiers of technical assistance as directed by the Superintendent of Education. The tiers must be determined by factors that include, but are not limited to:

(a) length of time schools in the district have been underperforming;

(b) annual achievement ratings;

(c) annual growth ratings;

(d) school or district accreditation; and

(e) financial risk status as defined by the UGG.

(2) The tiers of technical assistance may include a per student allocation, placement of a principal mentor, transformation coach, instructional leader, replacement of the principal, reconstitution of a school, and declaration of a state of emergency. Low‑performing schools and districts must be placed within the tiered technical assistance framework not later than January fifteenth.

(3) Low‑performing schools must receive a needs assessment through the department. In addition, newly identified low‑performing schools and districts must be reviewed by an External Review Team in the year of designation, and every third year thereafter. These reports must be made available on the department’s website; any information pertaining to personnel matters or containing personally identifiable information is exempt. Based upon the recommendations in the reviews, low‑performing schools and districts must develop and submit to the department an updated school renewal or district strategic plan outlining goals for improvement. The amended plans must address evidence based strategies designed to increase student achievement and must include measures to evaluate the success of implementation of the plan.

(4) With the funds appropriated to the department and any experts placed in the school or district for technical assistance services, the department shall assist low‑performing schools and districts in designing and implementing the strategies and measurement identified in the amended plans and in brokering for technical assistance personnel as stipulated in the plan. In addition, the department shall monitor student academic achievement and progress on implementation and report their findings to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the local legislative delegation, and the Governor in the fall following the school or district designation as low‑performing. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

(5) Funds must be used by the department for implementation and delivery of technical assistance services. Using previous report card date and monitoring reports on the status of implementation of the school renewal plan, the department shall identify priority schools. Funds appropriated for technical assistance must be used by the department to work with those schools identified as low‑performing and to support priority schools under the tiered system. These funds may not be transferred to another funding category by the school district without prior approval of the State Superintendent of Education and funds are not subject to agency flexibility provisions.

Section 59‑18‑1620. (A) When a school receives an overall rating of unsatisfactory for three out of four years, the school is considered to be ‘chronically underperforming’ and one of the following must occur:

(1) the school will be reconstituted immediately after the end of the school year in which the annual report is published; and:

(a) the principal, faculty, and staff must be relieved of their duties. Dismissed employees may reapply for open positions once the reconstituted school begins hiring;

(b) the State Superintendent of Education shall hire the new principal and staff for the reconstituted school; and

(c) the department shall contract with a public or nonprofit private entity that has a proven record of success in working with underperforming schools and districts. The entity shall use research‑based strategies to assist schools with their operations and oversee the administration of the school until the overall rating of the school improves; provided, if the overall rating does not improve within three years then the school either must be restarted under the management of a high‑performing charter management organization selected by the State Superintendent of Education or must be governed by the South Carolina Transformation School District, and all state, local and federal funds generated by the students must follow the students to the charter management organization or to the South Carolina Transformation School District;

(2) the school must be closed and restarted under the management of an existing charter school authorizer or a nonprofit educational management organization selected by the State Superintendent; provided, if the school is a Title I school, the Department of Education will award competitive grants as authorized under federal law to support these new schools and all state, local and federal funds generated by the students follow the students to the charter school authorizer or to the educational management organization. The authorizer or management organization has the authority to terminate any and all employees of the school and hire employees at its discretion; or

(3) the school must be closed and its students must be transferred to higher‑performing schools in the district.

(B) The State Superintendent, with input from the local school board of trustees, shall determine which action is in the best interest of the students and shall advise the State Board of Education of its determination.

(C) The State Board of Education holds final decision‑making authority and the determination by the department and local school board, pursuant to this subsection, only is advisory.

(D) A school identified as ‘chronologically underperforming’ must have that designation included on the first page of its report card in a conspicuous location.

Section 59‑18‑1640. (A) When a majority of students in a district attend schools with an overall rating of below average or unsatisfactory, the State Superintendent shall declare the district to be in a state of emergency and the annual report card of each school in the district must identify the district as being in a state of emergency. The State Superintendent, with the approval of the State Board of Education, shall appoint an external review committee to study educational programs and financial management in the district and identify factors affecting the student performance. The review committee shall:

(1) examine all facets of school and district operations, focusing on strengths and weaknesses, determine the extent to which the instructional program is aligned with the content standards, and make recommendations that draw upon strategies from those who have been successful in raising academic achievement in schools with similar student characteristics;

(2) consult with parents and community members to gather additional information on the strengths and weaknesses of the district;

(3) identify personnel changes, if any, that are needed at the school level, district level, or both, and discuss such findings with the board;

(4) work with school staff, central offices, and local boards of trustees in the design of the district’s plan, implementation strategies, and professional development training that reasonably may be expected to improve student performance and increase the rate of student progress in the district;

(5) identify needed support from the State Department of Education and other sources for targeted long‑term technical assistance;

(6) review the financial management of the district;

(7) report its recommendations, no later than three months after the district receives the designation as a district in a state of emergency to the district superintendent, the district board of trustees, and the State Board of Education; and

(8) annually report over the next four years to the local board of trustees and state board, or more frequently as considered necessary by the state board, on the progress of the district toward implementing the plans and recommendations and improving student performance.

(B)(1) Upon approval of recommendations by the State Superintendent of Education, the Department of Education shall:

(a) within thirty days notify the district superintendent and the district board of trustees of the recommendations upon the approval of the recommendations; and

(b) delineate the activities, support, services, and technical assistance it will provide to support the recommendations and sustain improvement over time.

(2) The external review committee, composed of Department of Education staff, representatives from selected school districts, higher education, and business, annually shall report to the local board of trustees and the State Board of Education over the next two years on the district’s progress in implementing the recommendations and improving student performance.

(C) If a district is identified as being in a state of emergency for four consecutive school years, the State Board of Education shall choose from on of the following:

(1) transfer schools in the district into another, higher performing district which may be located in the same county or in another county in the State and all state, local and federal funds generated by the students follow the students to the higher performing district; or

(2) close and restart the schools in the district under the management of an existing charter school authorizer, a nonprofit educational management organization selected by the State Board, or the South Carolina Transformation School District. The board shall have the discretion to use all three options for schools in the district.

(D) Upon designation as a district in a state of emergency for four consecutive years, the district and local school board of trustees immediately is dissolved and all of its powers, duties, and responsibilities are transferred to the entity charged with operating the schools.

Section 59‑18‑1650. (A) The South Carolina Transformation School District is established as an organizational unit of the Department of Education, established by the Superintendent for the purpose of providing the operation and management of underperforming schools pursuant to Sections 59‑18‑1620 and 59‑18‑1640.

(B) The Superintendent may contract with one or more individuals, governmental entities, or nonprofit entities to manage the daily operations of any or all schools placed in the Transformation School District including, but not limited to, providing direct services to students.

(C) An individual, governmental entity, or nonprofit entity contracted pursuant to subsection (B) to manage schools placed in the Transformation School District may apply to the State Superintendent and the State Board of Education for a waiver of any regulation that inhibits or hinders the ability of the school to achieve the required adequate yearly progress benchmarks. Notwithstanding the provisions of this subsection, the State Superintendent and State Board of Education may not waive rules relating to:

(1) federal and state civil rights;

(2) federal, state and local health and safety;

(3) federal and state public records;

(4) immunizations;

(5) possession of weapons on school grounds;

(6) background checks and fingerprinting of personnel;

(7) federal and state special education services;

(8) student due process;

(9) parental rights;

(10) federal and state student assessment and accountability; and

(11) the South Carolina Freedom of Information Act.

(D) The individual, governmental entity, or nonprofit entity contracted to manage schools placed in the Transformation School District shall determine whether a teacher who previously was assigned to the school may continue to teach at the school as an employee of the managing entity.

(E) For schools placed in the Transformation School District whose local districts have not been dissolved or consolidated, the State Superintendent shall develop a transition plan for the purpose of returning the school to the jurisdiction of the local board of trustees if the school achieves the required progress benchmarks for two consecutive years.

(F) Absent an appropriation in the annual general appropriations act, the Transformation School District shall use state, local, and federal funds generated by the students served to operate a school placed in alternative governance and to implement new initiatives and programs as appropriate. This funding may be used to implement new initiatives and programs to the extent that any increase in recurring expenditures are funded additionally so as not to create a financial burden on the local school district if the school is removed from the Transformation School District.

(G) An individual, governmental entity, or nonprofit entity contracting with the State Superintendent to manage the operation of a school under the provisions of this section timely shall provide information to the local school board of trustees and superintendent regarding its operation of the schools, including, but not limited to, matters relating to employment of personnel at the school. The local school board of trustees may continue to support the educational improvement of the school under the direction and guidance of the Superintendent and in accordance with any contracts entered into in accordance with this section. In addition, an individual, governmental entity, or nonprofit entity contracting with the State Superintendent voluntarily may work with the local school board of trustees to provide the schools with professional development or technical assistance, instructional and administrative support, and other support that may benefit academic progress of the school.

(H) A contract to manage a school that has been placed in the Transformation School District must require expenditure reports for funds received and expended pursuant to these contracts.

(I) The Transformation School District may require the local board of trustees to provide school support or student support services for a school transferred from its jurisdiction to the Transformation School District including, but not limited to, student transportation, school food service, or student assessment for special education eligibility that are compliant with all laws and regulations governing such services. In such case, the school district shall reimburse the actual cost to the system providing the service. If a dispute arises between the school district and the system providing the service regarding the cost of the service to be reimbursed, the Superintendent of Education or his designee shall determine the cost to be reimbursed. The Transformation School District may use a school building, facility, and property otherwise part of the school and recognized as part of the facilities or assets of the school before its placement in the Transformation School District and shall have access to such additional facilities as are typically available to the school, its students, faculty, and staff before its placement in the school district. This use is unrestricted, except that the Transformation School District is responsible for and obligated to provide for routine maintenance and repair needed to maintain the facilities and property in as good an order as when the right of use was acquired by the district.”

SECTION 45. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59‑17‑15. (A) Before August 1, 2023, local school districts whose kindergarten through grade twelve student population is less than one thousand shall be merged with a district in the same county in which it is located. Before August 1, 2021, the State Superintendent of Education shall provide the General Assembly with a report specifying legislative actions necessary to accomplish the district merger.

(B) Before August 1, 2021, the State Superintendent of Education shall provide a comprehensive plan to the Speaker of the House and President of the Senate regarding the merging of school districts. When determining whether to recommend a district for merger or entrance into a shared services agreement with another district, the Superintendent shall consider:

(1) whether the district has an average daily membership of fewer than fifteen hundred students;

(2) whether the district has been declared to be in fiscal watch, caution, or emergency status within the last five years;

(3) whether the district, or a school within a district, has been denied accreditation, or has been placed on probation by its accreditor;

(4) whether a majority of students within the district attend schools that received below average or unsatisfactory on their report cards;

(5) any combination of items (1) through (4);

(6) whether and how any countywide district should be consolidated with districts in contiguous counties to form a regional school district;

(7) whether school districts could be merged to mirror the service areas of their respective technical colleges; and

(8) any additional factors that the Superintendent considers appropriate.

(C)(1) The Superintendent’s report must:

(a) indicate if the district has already consolidated administrative and professional services with one or more school districts; and

(b) if such a consolidation has occurred, provide a determination on whether the consolidation of services is successful and should remain in place in lieu of merging the district.

(2) For purposes of this subsection, ‘administrative and professional services’ includes:

(a) finance;

(b) human resources;

(c) procurement;

(d) administrative functions;

(e) transportation;

(f) collaboration on increasing instructional offerings; and

(g) any other services the Superintendent considers appropriate.”

SECTION 46. Section 59‑39‑100 of the 1976 Code is amended to read:

“Section 59‑39‑100. (A) Diplomas issued to graduates of accredited high schools within this State must be uniform in every respect and particularly as to color, size, lettering, and marking. In accordance with Section 59‑59‑10, et seq., districts and schools shall provide students with personalized pathways for earning the uniform diploma, and students may earn endorsements based upon their course of study, which may be represented by seals added to the student’s uniform diploma. The State Board of Education shall promulgate regulations establishing these pathways and endorsements.

(B) Beginning with students entering the ninth grade in School Year 1997‑1998, the number of units required for a high school diploma was increased to twenty‑four units. To support the Profile of the Graduate, for students entering the ninth grade beginning with the 2018‑2019 School Year, the twenty‑four units required are as prescribed in this section and in regulation by the State Board of Education.

(1) Students will continue to be required to earn the units of credit as prescribed in regulation and, when applicable, be offered national industry certifications or credentials.

(2) Coursework must be aligned with a student’s personalized diploma pathway. The State Board of Education shall promulgate regulations that outline the process and procedures for approval of courses to personalize pathways based on students’ postsecondary plans and include an annually updated course activity coding manual listing approved courses. The individualized graduation planning process must plan each student’s personalized pathway based on his postsecondary plans.

(C) Beginning with students entering ninth grade in the 2020‑2021 School Year, a local board of trustees may require additional units of credit for a high school diploma.

(D) The State Board of Education, through the Department of Education and in collaboration with the Vocational Rehabilitation Department, the Department of Employment and Workforce, businesses, and stakeholders shall develop criteria for a uniform state‑recognized employability credential that is aligned to the program of study for students with a disability whose Individualized Education Program (IEP) team determines, and agrees in writing, that a diploma pathway would not provide a free appropriate public education. The State Board of Education, in conjunction with the department, shall develop a rubric and guidelines to identify and assess the employability skills of the students, based on appropriate standards established. The credentials must be uniform in size, shape, and design.

(~~D~~E) The department shall monitor the number of diplomas and employability credentials earned by students and shall report to the State Board of Education and the General Assembly biannually by February 15, beginning in 2020.

(~~E~~F) Nothing in this section prohibits local school boards of trustees from awarding recognition to students who complete additional units and credits beyond those required by this section.”

PART VII

Local School Board Accountability

SECTION 47. Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Article 5

Local School Governance

Section 59‑19‑710. The purpose of this article is to enhance local school governance by promoting the highest standards of ethical behavior and to provide an automatic procedure for addressing instances of deficient local school governance impacting the success of a school district.

Section 59‑19‑720. For purposes of this article:

(1) Administrator’ means an officer, other than a board member, or employee of a local school district who holds a position which:

(a) requires a certificate that authorizes the holder to serve as school administrator, principal, or school business administrator;

(b) does not require that the person hold any type of certificate but is responsible for making recommendations regarding hiring or the purchase or acquisition of property or services by the local school district; or

(c) requires a certificate that authorizes the holder to serve as supervisor and be responsible for making recommendations regarding hiring or the purchase or acquisition of property or services by the local school district.

(2) ‘Anything of value’ or ‘a thing of value’ has the same meaning as in Section 8‑13‑100(1).

‘Board member’ means a person holding membership, whether by election or appointment, on a board of education other than the State Board of Education.

(3) ‘Board member’ means a person holding membership, whether by election or appointment, on a board of education other than the State Board of Education.

(4) ‘Business’ means a corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a local school district or another public entity.

(5) ‘Economic interest’ has the same meaning as in Section 8‑13‑100(11).

(6) ‘Family member’ has the same meaning as in Section 8‑13‑100(15).

(7) ‘Interest’ means the ownership or control of more than ten percent of the profits, assets, or stock of a business but does not include the control of assets in a labor union.

(8) ‘Local school district’ means any school district in the State, including the South Carolina Public Charter School District, but does not include special school districts.

(9) ‘Nepotism’ means the employment, appointment, promotion, transfer, or advancement of a family member to a position in the school district that a school board member manages or supervises. A school board member may not participate in an action relating to the discipline of a family member.

(10) ‘Public official’ has the same meaning as in Section 8‑13‑100(27).

(11) ‘School official’ includes the superintendent, assistant superintendent, chief finance official or employee, and chief purchasing official or employee of a school district.

(12) ‘Spouse’ means the person to whom a school official is legally married.

Section 59‑19‑730. (A) The State Board of Education shall adopt a model code of ethics for local school board members before July 1, 2020. This model code of ethics also shall include appropriate consequences for violations of provisions of the model code. The state board periodically may adopt revisions to the model code as it considers necessary.

(B)(1) A local school board shall adopt a local code of ethics applicable to that board within three months after adoption of the model code by the state board. A local code must include, at a minimum, the model code of ethics.

(2) If the state board adopts a revision to the model code, a local school board shall adopt and incorporate the revision into its local code within three months of the adoption of the revision by the state board.

(3) A local school board only may adopt its local code of ethics or any changes to that local code at a regularly scheduled meeting.

(4) A local school board may not adopt or follow a code of ethics that prevents its members from discussing freely the policies and actions of the board outside of a board meeting, excluding matters discussed in executive session or that are exempt from disclosure under the Freedom of Information Act.

(5) A local school board shall submit a copy of its local code of ethics and subsequent revisions to the State Department of Education within thirty days of adoption.

Section 59‑19‑740. (A) A local school board shall adopt policies regarding nepotism which, at a minimum, must include the provisions of this section.

(B) After June 30, 2020, a person who has a family member serving on a local school board, as the district school superintendent, as a principal or assistant principal of a school in the district, or as a member of the district administrative staff is not eligible to serve as a member of the board if the family member’s employment with the district begins after December 31, 2020. This provision does not affect the employment of a person employed by the district before June 30, 2020, or who is employed by the district when his family member becomes a member of that local school board.

(C)(1) For a district with a full‑time enrollment of fewer than three thousand students in the initial fall enrollment of 2019, the State Board of Education may waive the provisions of subsection (B) at the request of the local school board or an individual attempting to qualify to run for a seat on that board, provided the local school board shall, before submitting a waiver request, provide thirty days’ notice of the individual’s intent to run for the office and conduct a public hearing for the purpose of providing an opportunity for full discussion and public input on the issue of potential nepotism problems and other concerns regarding the waiver. The public hearing may be conducted in conjunction with a regular or called meeting of the local school board.

(2) A local school board that seeks a waiver pursuant to this subsection shall submit a written waiver request to the State Board of Education that:

(a) identifies the specific laws, rules, regulations, policies, procedures, or provisions that are requested for the waiver;

(b) describes the laws, rules, policies, and procedures that the board will substitute for the waived laws, rules, regulations, policies, procedures, or provisions;

(c) describes any familial relationship that is the subject of the waiver request and the policy for recusal;

(d) describes how the waiver will improve student performance;

(e) describes the students who will be affected by the proposed waiver, including their estimated number, current performance, grade level, and any common demographic traits;

(f) lists by name the schools that will be affected by the proposed waiver, and a description of each school, including current performance, grade levels, and demographic traits of the students of each school;

(g) describes the methods for collecting data, and for measuring and evaluating any change in student performance resulting from the proposed waiver;

(h) provides the period of time for which the proposed waiver is requested and the proposed starting date;

(i) provides a resolution adopted by the local school board to approve or disapprove the waiver request, and outlining the reasons for its approval or disapproval; and

(j) describes any public comment received at the public hearing held pursuant to item (1).

(3) The State Board of Education may grant or deny a waiver request, or grant a waiver request subject to specific modifications in the waiver request.

(4) The State Board of Education shall grant or deny a waiver request no later than forty‑five days after receipt of the request, taking into consideration whether the benefit to the public would justify approval of the waiver.

(D) After June 30, 2020, a person who has a family member serving on a local school board, hired or promoted as a principal or assistant principal of a school in the district, or hired as a member of the district administrative staff is not eligible to serve as the superintendent of the district if the family member’s employment with the district begins after December 31, 2020. This provision does not affect the employment of a person employed by the district before June 30, 2020, or who is employed by the district when his family member becomes a member of that local school board.

Section 59‑19‑750. (A) To avoid a conflict of interest, a local school board member or school official may not:

(1) use or attempt to use his official position to secure unwarranted privileges, advantages, or employment for himself, his family members, or any others;

(2) act in his official capacity in any matter where he, his family member, or a business organization in which he or his family member has an economic interest that reasonably could be expected to impair his objectivity or independence of judgment;

(3) solicit or accept, or knowingly allow his family member or a business organization in which he or his family member has an economic interest to solicit or accept a gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, political contribution, service, promise of future employment, or other thing of value was given or offered for the purpose of influencing the board member in the discharge of his official duties; provided this item does not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office if the board member has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the board member in the discharge of his official duties;

(4) use, or knowingly be allowed to use, his official position or any information not generally available to the general public which he receives or acquires in the course of and by reason of his official position for the purpose of securing financial gain for himself, his family member, or a business organization with which he is associated;

(5) represent, either in his individual capacity or through a business organization in which he has an interest, a person or party, other than the local school district or its board, with any cause, proceeding, application, or other matter pending before the district in which he serves or in a proceeding involving the district he represents;

(6) be prohibited from making an inquiry for information on behalf of a constituent if no fee, reward, or other thing of value is promised to, given to, or accepted by the board member or his family member in return;

(7) disclose or discuss any information which is subject to attorney‑client privilege belonging to the local school board to any person except for other board members, an attorney representing the board, the district superintendent, or any other person designated by the district superintendent for receipt of such disclosures unless the privilege has been waived by a two‑thirds vote of the membership of the board then serving;

(8) serve also as an officer of any organization that sells goods or services to the district, excluding not‑for‑profit organizations;

(9) be considered in conflict with the provisions of this subsection if, by reason of his participation in a matter required to be voted upon, no material or monetary gain accrues to him as a member of a profession, occupation, or group to any greater extent than reasonably could be expected to accrue to another member of that profession, occupation, or group; and

(10) to enable local school superintendents and administrators to effectively perform their duties related to daily operations without undue interference from school board members, a school board member shall:

(a) recognize that the authority of the board only rests with the board as a whole and not with individual board members, and act accordingly;

(b) support the delegation of authority for day‑to‑day administration of the school system to the local superintendent, and act accordingly;

(c) honor the chain of command and refer problems or complaints consistent with the chain of command;

(d) recognize that the local superintendent shall serve as secretary, ex officio to the board, and should be present at all meetings of the board except when his contract, salary, or performance is under consideration;

(e) not undermine the authority of the local school superintendent or intrude into responsibilities that properly belong to the local superintendent or school administration, including such functions as hiring, transferring, or dismissing employees; and

(f) use reasonable efforts to keep the local superintendent informed of concerns or specific recommendations that any member of the board may bring to the board.

(B) School board members may create or modify the salary, travel stipend, or other component of the compensation provided to school board members, but such creation or change may not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the modification, at which time the creation or change becomes effective for all members.

(C) Upon a motion supported by a two‑thirds vote of the members present, a local school board shall request that the State Ethics Commission conduct a hearing concerning the violation by a board member of a conflict of interest provision in subsection (A).

Section 59‑19‑760. (A) The State Department of Education or another public school accrediting agency shall notify the State Board of Education upon placing any district or school on the level of accreditation that immediately precedes the loss of accreditation for school governance reasons. This notice shall include the reason or reasons for the decision of the accrediting agency.

(B) Notwithstanding another provision of law, if a school district or school is placed on the level of accreditation that immediately precedes the loss of accreditation for school governance by an accrediting agency, the local board shall notify the State Board of Education, in writing, within three business days of the placement. This notice shall include the reason or reasons for the decision of the accrediting agency.

(C) The State Board of Education shall conduct a hearing no less than ten days before, but no more than ninety days after, it receives or gives the notice provided in subsections (A) and (B), and shall recommend to the Governor whether he should suspend all eligible members of the local board without pay. A majority of the members of a local board of education may petition the State Board of Education to continue any hearing scheduled under this subsection. Upon a showing of good cause, the state board may in its sound discretion continue any such hearing. Notwithstanding another provision of law, deliberations held by the State Board of Education pursuant to this subsection to formulate its recommendation to the Governor may not be open to the public and are not subject to the Freedom of Information Act; provided, however, that testimony must be taken in an open meeting and a vote on the recommendation must be taken in an open meeting following the hearing or at the next regularly scheduled meeting. If the State Board of Education makes a recommendation to suspend, the Governor may, in his discretion, suspend all eligible members, but not selective individual members, of the local board of education with pay and, in consultation with the State Board of Education, appoint temporary replacement members who are otherwise qualified to serve as members of the board. A temporary replacement member appointed pursuant to this subsection must serve until the completion of the suspension or until the seat becomes vacant, whichever occurs first.

(D) All hearings pursuant to subsection (B) must be conducted by the State Board of Education, a committee of the state board, or a hearing officer appointed by the state board. In conducting a hearing:

(1) the presiding officer shall notify the parties of the time and place of the hearing;

(2) all witnesses shall testify under oath and are subject to cross‑examination;

(3) the presiding officer shall require the testimony and other evidence to be transcribed by a court reporter or recorded by other appropriate means;

(4) the strict rules of evidence prevailing in courts of law are not applicable; and

(5) at the conclusion of the hearing, or within fifteen days thereafter, the State Board of Education shall notify the Governor and the parties of its decision in writing.

(E) The provisions of this section apply only to a local school district or school which is placed on the level of accreditation immediately preceding loss of accreditation after July 1, 2020. This section applies only to local board of education members who were serving on the local board at the time the accrediting agency placed the local school system or school on the level of accreditation immediately preceding loss of accreditation.”

SECTION 48. Section 59‑18‑920 of the 1976 Code is amended to read:

“Section 59‑18‑920. “Section 58‑19‑920. A charter school established pursuant to Chapter 40, Title 59 shall report the data requested by the Department of Education necessary to generate a report card and a rating. The performance of students attending charter schools sponsored by the South Carolina Public Charter School District or registered institution of higher learning must be included in the overall performance ratings of each school ~~in the South Carolina Public Charter School District~~. The performance of students attending a charter school authorized by a local school district must be reflected on a separate line on the school district’s report card. An alternative school is included in the requirements of this chapter; however, the purpose of an alternative school must be taken into consideration in determining its performance rating. The Education Oversight Committee, working with the State Board of Education and the School to Work Advisory Council, shall develop a report card for career and technology schools.”

SECTION 49. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

“Section 59‑19‑55. Trustees and school officials shall comply with the provisions of Articles 1, 7, 11, and 13, Chapter 11, Title 8. For purposes of this section, ‘school official’ has the same meaning as in Section 59‑19‑720(5).”

SECTION 50. Article 7, Chapter 13, Title 18 of the 1976 Code is amended by adding:

“Section 8‑13‑810. (A) By July first of each year, the State Board of Education shall notify the State Ethics Commission of any local school board member who has not complied with the provisions of Section 59‑19‑45. Local school board members who fail to successfully complete the training program must be considered to be in violation of the State Ethics Act and must be assessed a civil penalty as follows:

(1)(a) a fine of one hundred dollars if the training is not completed as provided by law in this chapter; and

(b) after notice has been given by the State Board of Education by certified or registered mail that the training has not been completed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the training is not completed, not exceeding five thousand dollars; and

(2) after the maximum civil penalty has been levied and the required statement or report has not been filed, the person is:

(a) for a first offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not less than two thousand five hundred dollars nor more than five thousand dollars or imprisoned not less than a mandatory minimum of thirty days; and

(c) for a third or subsequent offense, guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than one year, or both.

(B) In addition to existing remedies for breach of the ethical standards of this chapter or regulations promulgated hereunder, the State Ethics Commission may impose an oral or written warning or reprimand.

(C) Before a trustee’s position with a local school district board may be terminated for a violation of the provisions of this chapter, notice and an opportunity for a hearing must be provided to the trustee.”

SECTION 51. Section 1‑3‑240(A) of the 1976 Code is amended to read:

“(A) Any officer of the county or State, or a local school board member or trustee, except:

(1) an officer whose removal is provided for in Section 3 of Article XV of the State Constitution;

(2) an officer guilty of the offense named in Section 8 of Article VI of the State Constitution; or

(3) pursuant to subsection (B) of this section, an officer of the State appointed by the Governor, either with or without the advice and consent of the Senate; who is guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard.”

SECTION 52. Section 59‑19‑45 of the 1976 Code is amended to read:

“Section 59‑19‑45. (A) Within one year of taking office, all persons elected, reelected, or appointed as members of a school district board of trustees ~~after July 1, 1997~~, regardless of the date of their election, reelection, or appointment, shall complete successfully ~~an orientation~~ a training program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics, nepotism, conflict of interest, and community relations. This program must be offered by a district and completed by a board member within one year after his election, reelection, or appointment. This program also must be offered by a district and completed by a member serving on the effective date of this act within one year after the effective date of this act.

(B)(1) ~~The orientation shall be approved by the State Board of Education and conducted by public or private entities approved by the State Board of Education such as the South Carolina School Boards Association.~~ By December 31, 2019, the State Board of Education shall adopt a model training program for training local school board members on the provisions of this article and local polices adopted pursuant to it. The program must include initial and continuing training. The State Board of Education periodically may adopt revisions to the training program as it considers necessary.

(2)(a) A local school board shall adopt a local training program applicable to that board within three months after adoption of the model training program by the State Board of Education. A training program must include, at a minimum, the model training program.

(b) If the State Board of Education adopts a revision to the training program, a local school board shall adopt and incorporate the revision into its local training program within three months of the adoption of the revision by the State Board of Education.

(c) A local school board only may adopt its local training program or any changes to that local training program at a regularly scheduled meeting.

(d) A local school board shall submit a copy of its local code of ethics and subsequent revisions to the State Department of Education within thirty days of adoption.

(C) ~~The provisions of this section also apply to members of county boards of education appointed or elected after July 1, 1997, in the same manner the provisions of this section apply to members of school district boards of trustees.~~

~~(D)~~ ~~The provisions of this section do not apply to a school board trustee or county board of education member who was serving in such office on July 1, 1997, and who is continuously reelected or reappointed to office thereafter.~~ In addition to meeting other requirements provided by law, a person serving on a school board shall:

(1) sign a statement asserting that he understands the applicable local code of ethics and policy on nepotism; and

(2) annually disclose compliance with the State Board of Education policy on training for local school boards, the applicable local code of ethics, the nepotism policy, and the conflict of interest provisions applicable to local school boards.

(~~E~~D) The State Department of Education shall reimburse a school district or county board of education conducting ~~an orientation~~ training for a new board member as required by this section at the rate of eighty dollars for a member, provided that the total reimbursements by the department in one fiscal year must not exceed ten thousand dollars. If the total projected cost of these reimbursements for a year as determined by the department exceeds ten thousand dollars, the eighty‑dollar reimbursement for each new member must be reduced proportionately. If funds are not available for these reimbursements, the board member ~~orientation~~ training is not required but may be conducted at the option of a school district or county board of education. The State Board of Education shall establish guidelines and procedures for these reimbursements.

(~~F~~E) The State Department of Education must keep a record of the school board trustees who complete the ~~orientation~~ training program for a period of at least five years.”

SECTION 53. Section 59‑19‑60 of the 1976 Code is amended to read:

“Section 59‑19‑60. (A) School district trustees ~~shall be~~ are subject to removal from office ~~for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59‑19‑560~~ pursuant to the provisions of Chapter 3, Title 1. Vacancies occurring in the membership of any board of trustees for any cause ~~shall~~ must be filled for the unexpired term by the ~~county board of education~~ local legislative delegation in the same manner as provided for full‑term appointments.

(B) In addition to the bases for removal from office by the Governor provided in Chapter 3, Title 1, the Governor may remove a member of a school district board of trustees in a case involving:

(1) fraud;

(2) misappropriation of funds;

(3) nepotism;

(4) violation of election or procurement laws; or

(5) any combination of items (1) through (5).

(C) If the entire membership of a board of trustees is removed, five vacancies automatically are created, regardless of the prior number of seats held by the board of trustees. The Governor shall appoint members to fill three of the vacancies, the State Superintendent of Education shall appoint a member to fill one of the vacancies, and the local legislative delegation shall appoint a member to fill one of the vacancies within ninety days.

(D) If one or more members, but not the entire membership, of a board of trustees is removed, the Governor must fill the vacancies within ninety days.

(E) A person appointed pursuant to subsection (C) or (D) to fill a vacant seat on a board of trustees shall serve until the next general election is held for the seat and may run in that general election for the seat to which he was appointed.

(F) If only two members remain serving on a board of trustees, the members may take no action that requires a vote until a third member is appointed.”

PART VIII

Miscellaneous Provisions

SECTION 54. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑444. (A) All reports, studies, published findings, memoranda, guidelines, rules, and other documents concerning implementation of programs and initiatives concerning student performance and achievement, school district and school accountability, curriculum revisions, the Education Finance Act, facility funding and construction, and other such matters as may be requested by Senate Education Committee or House Education and Public Works Committee must be posted by the department on its Internet website within twenty‑four hours after being made public. The posting must be in a form and manner that is easily:

(1) locatable by the public through a prominent link on the homepage of the department’s website; and

(2) accessible for viewing and downloading in a portable document format (PDF) by the public.

(B) The department shall pay a fine of ten thousand dollars per day for each separate failure to comply with the provisions of this section. These funds must be deposited into the General Fund.”

SECTION 55. Section 59‑19‑90(3) of the 1976 Code is amended to read:

“(3) ~~Promulgate rules and regulations. Promulgate~~ Adopt rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of ~~such~~ the pupils to attend the public schools of ~~such~~ the district. The rules ~~shall~~ must take into account the necessity of proper conduct on the part of all pupils and the necessity for scholastic progress in order that the welfare of the greatest possible number of pupils ~~shall~~ must be promoted, notwithstanding that ~~such~~ the rules may result in the ineligibility of pupils who fail to observe the required standards, and require the suspension or permanent dismissal of ~~such~~ the pupils. A rule must align with applicable federal and state accountability requirements;”

SECTION 56. Article 15, Chapter 18, Title 59 of the 1976 Code is repealed.

SECTION 57. Section 59‑59‑30 of the 1976 Code is repealed.

SECTION 58. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 59. This act takes effect upon approval by the Governor.

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