AS PASSED BY THE SENATE

February 9, 2021

**S. 516**

Introduced by Senators Massey, Malloy, Cromer, Climer, M. Johnson, K. Johnson, Williams, Rice, Jackson, Gustafson, Adams, Goldfinch, Kimbrell, Garrett, Talley, Bennett, Hembree, Loftis and Campsen

S. Printed 2/9/21--S.

Read the first time February 3, 2021.

**A** **JOINT RESOLUTION**

TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IDENTIFY CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF AS MISSION-CRITICAL WORKERS AND INDIVIDUALS WHO ARE ELIGIBLE FOR VACCINATION UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COORDINATE WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN THAT WILL OFFER THE OPPORTUNITY TO CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF TO BE FULLY VACCINATED WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION, TO PROVIDE THAT EVERY SCHOOL DISTRICT MUST OFFER FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION TO STUDENTS NO LATER THAN TWO WEEKS AFTER CERTIFIED TEACHERS AND SUPPORT STAFF HAVE BEEN OFFERED THE OPPORTUNITY TO BE FULLY VACCINATED, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ENSURE THAT ALL SOUTH CAROLINA RESIDENTS WHO ARE ELIGIBLE UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN WHO HAVE RECEIVED A FIRST VACCINE DOSE AS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION ARE OFFERED THE OPPORTUNITY FOR FULL VACCINATION WITHIN THE APPROPRIATE RECOMMENDED TIME PERIOD.

Amend Title To Conform

Whereas, the COVID-19 pandemic has forced many school districts to replace in-person classroom instruction with virtual instruction; and

Whereas, virtual instruction is no substitute for in-person classroom instruction; and

Whereas, a COVID-19 vaccine is currently available for distribution in this State for mission-critical workers; and

Whereas, certified teachers and school support staff should be identified as mission-critical because of the vital role they play in the education and development of our state’s children; and

Whereas, vaccinating certified teachers and school support staff must not take away any vaccine supply from other mission-critical workers and individuals; and

Whereas, it is imperative that we return students to in-person, five-day classroom instruction as quickly and safely as possible while providing a safe environment for our certified teachers and school support staff. Now, therefore,

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

SECTION 1. (A). Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify certified teachers and school support staff, as defined by the Department of Education, as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) Every school district must offer five-day, in-person classroom instruction to students no later than the Monday following each school district’s scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff.

(D) Notwithstanding subsection (B), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period.”

SECTION 2. For the purpose of employing any person to serve in the State’s public school system while the State recovers from the COVID-19 pandemic, the earnings limitation for retired state employees is increased to fifty thousand dollars until June 30, 2024, provided that the person has been retired for at least two years from the effective date of this joint resolution.

SECTION 3. (A) Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify daycare workers as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) Notwithstanding subsection (A), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period.

SECTION 4. This joint resolution takes effect upon approval by the Governor.

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