**A** **BILL**

TO AMEND SECTION 59-156-120(A) OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO EXPAND THE PROGRAM IN THE 2021-2022 SCHOOL YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON EACH DISTRICT’S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2023-2024 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN WITHIN FIVE YEARS OF THE PROGRAM’S EXPANSION FOR ALL DISTRICTS; TO AMEND SECTION 59-156-130(B)(2) OF THE 1976 CODE, RELATING TO ELIGIBILITY FOR ENROLLMENT IN THE PROGRAM, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-156-140(C) OF THE 1976 CODE, RELATING TO PROVIDER APPLICATIONS, TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-156-220(A) OF THE 1976 CODE, RELATING TO THE FUNDING OF THE PROGRAM, TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2021-2022 SCHOOL YEAR.

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

SECTION 1. Section 59-156-120(A) of the 1976 Code is amended to read:

“Section 59-156-120. (A)(1) The South Carolina Child Early Reading Development and Education Program ~~first~~ must be made available to eligible children ~~from the~~ attending schools in the following school districts ~~following eight trial districts in Abbeville County School District et al vs. South Carolina~~: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3.

~~(2)~~ ~~With any funds remaining after funding the eight trial districts,~~ Beginning with the 2021‑2022 school year, and each school year thereafter, the program must also be made available to ~~be expanded to the remaining plaintiff school districts in Abbeville County School District et al vs. South Carolina and then expanded to~~ eligible children residing in other school districts, with the program being expanded to every qualified child in all school districts by the 2023‑2024 school year. The program must be expanded to the remaining school districts ~~with a~~ based on each school district’s poverty index ~~of ninety percent or greater. Priority must be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006‑2007 School Year, then in the plaintiff districts having proportionally the largest population of underserved at‑risk four‑year‑old children~~ percentage, with expansion first in the school districts with the highest percentage.

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

(3) With any funds remaining after funding the school districts delineated in items (1) and (2), the program must be expanded statewide. The General Assembly, in the annual general appropriations bill, shall set forth the priority schedule, the funding, and the manner in which the program is expanded.”

SECTION 2. Section 59-156-130(B)(2) of the 1976 Code is amended to read:

“(2) The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child’s birth certificate, immunization documentation, and documentation of the student’s eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty‑five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility. When the program is expanded pursuant to Section 59-156-120(A)(2), the provisions of this subsection regarding annual family income and Medicaid eligibility no longer apply.”

SECTION 3. Section 59-156-140(C) of the 1976 Code is amended to read:

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

SECTION 4. Section 59-156-220(A) of the 1976 Code is amended to read:

“Section 59-156-220(A). The General Assembly shall provide funding for the program in the annual general appropriations act. For the 2021‑2022 school year, the funded cost per child shall be the same as in 2016‑2017, plus an inflation adjustment, and increased annually thereafter by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act. Eligible students enrolling with private providers during the school year must be funded on a pro rata basis determined by the length of their enrollment.”

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

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