**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4280**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson, McDaniel, Bradley, McGinnis, Gilliam, Wetmore, Elliott, B.J. Cox, Stavrinakis, Hartnett, Garvin and Haddon

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Introduced in the House on April 5, 2023

Introduced in the Senate on May 4, 2023

Last Amended on May 3, 2023

Currently residing in the Senate Committee on **Education**

Summary: Educator Assistance Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/5/2023 House Introduced and read first time (House Journal‑page 142)

 4/5/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 142)

 4/18/2023 House Member(s) request name removed as sponsor: Calhoon

 4/26/2023 House Member(s) request name added as sponsor:
 Hartnett, Garvin

 5/2/2023 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 4)

 5/3/2023 House Member(s) request name added as sponsor: Haddon

 5/3/2023 House Amended (House Journal‑page 54)

 5/3/2023 House Read second time (House Journal‑page 54)

 5/3/2023 House Roll call Yeas-111 Nays-0 (House Journal‑page 56)

 5/3/2023 Scrivener's error corrected

 5/4/2023 House Read third time and sent to Senate (House Journal‑page 24)

 5/4/2023 Senate Introduced and read first time (Senate Journal‑page 13)

 5/4/2023 Senate Referred to Committee on **Education** (Senate Journal‑page 13)

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**VERSIONS OF THIS BILL**

[04/05/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4280_20230405.docx)

[05/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4280_20230502.docx)

[05/03/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4280_20230503.docx)

[05/04/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4280_20230504.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

May 3, 2023

H. 4280

Introduced by Reps Erickson, McDaniel, Bradley, McGinnis, Gilliam, Wetmore, Elliott, B. J. Cox, Stavrinakis, Hartnett, Garvin and Haddon

S. Printed 05/03/23--H.

Read the first time April 05, 2023

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS by ENACTing THE “EDUCATOR ASSISTANCE ACT”; BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, AND TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD; BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE DATE BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO REVISE THE PENALTIES FOR BREACH OF CONTRACT RESULTING FROM THE UNAUTHORIZED EXECUTION OF AN EMPLOYMENT CONTRACT WITH ANOTHER DISTRICT, TO REVISE THE PERIOD FOR EDUCATOR CERTIFICATE SUSPENSION DUE TO BREACH OF CONTRACT, AND TO MAKE SUCH REVOCATIONS DISCRETIONARY; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTing TO the SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTing TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

 Amend Title To Conform

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

SECTION 1. This act may be cited as the “Educator Assistance Act”.

SECTION 2. Article 3, Chapter 25, Title 59 of the S.C. Code is amended by adding:

 Section 59‑25‑112. A professional certificate issued by the State Board of Education is permanent unless revoked or suspended and is not subject to renewal. No teacher may be required to renew a professional certificate issued by the board.

SECTION 3. Article 1, Chapter 101, Title 59 of the S.C. Code is amended by adding:

 Section 59‑101‑145. The State Department of Education, in collaboration with the Education Oversight Committee, is authorized to use data that is already being collected through current processes to report on the in‑state and out‑of‑state college enrollment, college persistence, and postsecondary completion of South Carolina’s high school graduates. The department shall work to streamline data collection timelines and processes to reduce the burden and increase the efficiency of such data collection and reporting.

SECTION 4. Section 59‑25‑420 of the S.C. Code is amended by adding:

 (C) Teachers who submit their contract prior to May eleventh pursuant to subsection (A) have ten days after publication of the employing district’s salary schedule for the coming school year to notify the district’s board of trustees in writing that the teacher wishes to withdraw his acceptance of his contract. If a teacher submits his request within ten days, the district is prohibited from reporting the withdrawal of prior acceptance as a breach of contract pursuant to Section 59‑25‑530.

SECTION 5. Section 59‑25‑530 of the S.C. Code is amended to read:

 Section 59‑25‑530. Any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be or as provided in Section 59‑25‑420 is deemed guilty of unprofessional conduct. A breach of contract resulting from the execution of an employment contract with another board within the State without the consent of the board first employing the teacher makes void any subsequent contract with any other school district in South Carolina for the same employment period. Upon the formal complaint of the school board, substantiated by conclusive evidence, the State board shallmay suspend or revoke the teacher's certificate, for a period not to exceed one calendar year. The State Board shall not hear a complaint from a school board pursuant to this section unless it is received within thirty days of the breach. The period for educator certificate suspension due to breach of contract must begin on the date such contract is breached with the district and run for a period of time deemed appropriate by the State Board of Education, not to exceed six months from the date of breac, if the educator is not employed in a certified position by another public school district or public school. If the educator is employed in a certified position by another public school district or public school, the period of suspension may not exceed six months, effective the date of the board’s determinationh. State education agencies in other states with reciprocal certification agreements shall be notified of the revocation of the certificatThe department shall provide notification of the suspension to other state educator licensing authoritiese.

SECTION 6. Sections 59-101-130 and 59-101-140 of the S.C. Code are repealed.

SECTION 7. 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 8. This act takes effect July 1, 2024.

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