



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 3196 Signed by Governor on May 7, 2025
Subject: Educator Assistance Act
Requestor: House of Representatives
RFA Analyst(s): Bryant
Impact Date: May 29, 2025

Fiscal Impact Summary

This bill enacts the Educator Assistance Act. The bill authorizes the S.C. Department of Education (SCDE), in collaboration with the Education Oversight Committee (EOC), to use data already being collected under current procedures to report on postsecondary matters concerning graduates of state public schools. The bill also requires local school districts and charter schools to adopt a policy allowing school employees to contribute unused sick or annual leave to a sick leave bank that is made available to all district or charter school employees. Additionally, the bill amends certain requirements related to the annual notification of teacher employment and assignments.

The bill specifies that four days of a district's school term must be used for professional development, and at least two days must be designated as staff workdays to prepare for the opening of schools. The bill also revises the penalty for breach of contract resulting from the unauthorized execution of an employment contract with another district, as well as the period for educator certificate suspension due to breach of contract and makes such suspensions discretionary.

Further, the bill provides that a teacher employed under a continuing contract must complete annual collegial professional development, and the employing district must award credits toward renewal of a professional teaching certificate for a teacher who successfully completes the required professional development activities. The bill also amends requirements for retired educator teaching certificates. Lastly, the bill repeals certain reporting requirements for high schools, state Institutions of Higher Learning (IHLs), and the State Superintendent of Education.

The expenditure impact of this bill on SCDE is currently undetermined. The department anticipates that this bill will likely increase expenses. SCDE further anticipates that the bill may increase the number of breach of contract cases reported to the department, potentially requiring additional hearings and resources. However, SCDE reports that it will not be able to determine the overall expenditure impact of the bill until after it has been implemented.

This bill is not expected to have an expenditure impact on the state agency schools. The Governor's School for Agriculture at John de la Howe, the Governor's School for the Arts and Humanities, and the Governor's School for Science and Mathematics indicate that the bill will have no expenditure impact since any expenses can be managed with existing appropriations.

Based upon these responses, the Revenue and Fiscal Affairs Office (RFA) anticipates that the bill will have no expenditure impact on the School for the Deaf and the Blind and the Wil Lou Gray Opportunity School.

This bill will have no expenditure impact on the EOC, as the bill requires the committee to perform activities that will be conducted in the normal course of agency business.

This bill is not expected to have an expenditure impact on IHLs. Based on responses from the College of Charleston, Lander University, the University of South Carolina, and Winthrop University, RFA anticipates that repealing the reporting requirement will result in no expenditure savings for IHLs.

The overall expenditure impact of this bill on the local school districts is undetermined. SCDE previously surveyed the seventy-two regular school districts and three charter school districts regarding similar legislation and received responses from sixteen districts. Fourteen of the responding districts indicate that the bill will have no expenditure impact. Two districts indicate that the bill may increase expenses but report that the cost is currently undetermined.

This bill specifies that if a board of trustees fails to notify, in writing through the superintendent, a teacher concerning his employment for the ensuing year before May 1, SCDE shall assess a penalty of \$10,000 to be deducted from a district's state allocated funding per occurrence. The revenue impact on local school districts and special school districts for violations of this notification policy is undetermined, as it will depend upon how many districts do not comply with the provisions of the bill. Additionally, the amount of state funds to be withheld will vary by district.

Explanation of Fiscal Impact

Signed by Governor on May 7, 2025

State Expenditure

This bill enacts the Educator Assistance Act. The bill authorizes SCDE, in collaboration with the EOC, to use data already being collected under current procedures to report on the in-state and out-of-state college enrollment, college persistence, and postsecondary completion of the state's high school graduates. SCDE must work to streamline data collection timelines and processes to reduce the burden and increase the efficiency of such data collection and reporting. The bill also requires local school districts and charter schools to adopt a policy allowing school employees to contribute unused sick or annual leave in excess of sixty days to a sick leave bank that is made available to all district or charter school employees.

The bill amends certain requirements related to the annual notification of teacher employment and assignments. The bill specifies that if a board of trustees fails to notify, in writing through the superintendent, a teacher concerning his employment for the ensuing year before May 1, SCDE shall assess a penalty of \$10,000 to be deducted from a district's state allocated funding per occurrence. A written notification of reemployment must include a projected minimum salary schedule for the district for the coming school year, as well as an agreement to provide a

final salary schedule as soon as practicable. The district must also provide a teacher with the factors used to determine their pay category on the salary schedule upon request.

The bill also requires the superintendent, principal, or supervisor to notify a teacher of their tentative assignment for the ensuing school year no later than fourteen calendar days before students are scheduled to return to school at the start of the school year. Once assigned to a school, the teacher may not be reassigned to work at another location in the district unless the superintendent can demonstrate the need for reassignment. The local board of trustees must be notified in writing of all teacher reassignments, and the teacher must be given written notice at least five school days prior to the reassignment unless the superintendent demonstrates that advance notice cannot be accomplished.

Additionally, the bill specifies that four days, instead of three days, of each local school district's annual school calendar must be used for professional development, and at least two days must be designated as staff workdays for the preparation of the opening of schools. The bill also revises the penalty for breach of contract resulting from the unauthorized execution of an employment contract with another district, as well as the period for educator certificate suspension due to breach of contract and makes the suspension or revocation of a teacher's certificate discretionary. The bill provides that an educator who has a bona fide residence change to a noncontiguous county during the term of the educator's contract is not considered to be in breach of contract.

Further, the bill provides that a teacher employed under a continuing contract must complete annual collegial professional development, and the employing district must award credits toward renewal of a professional teaching certificate for a teacher who successfully completes the required professional development activities. Additionally, the bill amends certain requirements for retired educator teaching certificates. The bill provides that a retired educator certificate is a lifetime certificate that allows a retired South Carolina educator to be eligible to maintain certification for the purpose of returning to employment with a school district on a temporary or full-time basis. Once issued, a retired educator in good standing must provide written notification of their desire to continue an active certificate to SCDE at the end of every five-year period.

Lastly, the bill repeals certain reporting requirements for high schools, IHLs, and the State Superintendent of Education. State high schools are no longer required to submit to the State Superintendent of Education a report detailing the number of high school graduates that entered the freshman class of an IHL, either in or out of the state, or a breakdown showing all courses passed and failed by those students. IHLs are no longer required to submit such information to the state high schools, and the State Superintendent of Education is no longer required to tabulate such reports and include them in the annual report to the General Assembly.

S.C. Department of Education. The expenditure impact of this bill on SCDE is currently undetermined. The department anticipates that this bill will likely increase expenses. SCDE further anticipates that the bill may increase the number of breach of contract cases reported to the department, potentially requiring additional hearings and resources. However, SCDE reports that it will not be able to determine the overall expenditure impact of the bill until after it has been implemented.

State Agency Schools. The Governor’s School for Agriculture at John de la Howe, the Governor’s School for the Arts and Humanities, and the Governor’s School for Science and Mathematics indicate that the bill will have no expenditure impact since any expenses can be managed with existing appropriations. Based upon these responses, RFA anticipates that the bill will have no expenditure impact on the School for the Deaf and the Blind and the Wil Lou Gray Opportunity School.

Education Oversight Committee. This bill requires the EOC, in collaboration with SCDE, to use data already being collected to report on the in-state and out-of-state college enrollment, college persistence, and postsecondary completion of the state’s high school graduates. This bill will have no expenditure impact on the EOC, as the bill requires the department to perform activities that will be conducted in the normal course of agency business.

State Institutions of Higher Learning. This bill repeals the requirement that every IHL must submit to the state high school from which each freshman graduated a report on the first semester accomplishments of each freshman. This bill is not expected to have an expenditure impact on IHLs. Based on responses from the College of Charleston, Lander University, the University of South Carolina, and Winthrop University, RFA anticipates that repealing the reporting requirement will result in no expenditure savings for IHLs.

State Revenue

This bill specifies that if a board of trustees fails to notify, in writing through the superintendent, a teacher concerning his employment for the ensuing year before May 1, SCDE shall assess a penalty of \$10,000 to be deducted from a district’s state allocated funding per occurrence.

The revenue impact on state agency schools for violations of this notification policy is undetermined, as it is unknown how many districts will not comply with the provisions of the bill. Additionally, the amount of state funds to be withheld will vary by school.

Local Expenditure

This bill enacts the Educator Assistance Act. The bill requires local school districts and charter schools to adopt a policy allowing all certified and noncertified school employees to contribute unused sick or annual leave in excess of sixty days to a sick leave bank that is made available to all district or charter school employees.

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scheduled to return to school at the start of the school year. Once assigned to a school, the teacher may not be reassigned to work at another location in the district unless the superintendent can demonstrate the need for reassignment. The local board of trustees must be notified in writing of all teacher reassignments, and the teacher must be given written notice at least five school days prior to the reassignment unless the superintendent demonstrates that advance notice cannot be accomplished.

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Frank A. Rainwater, Executive Director