

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM LEE COUNTY  
Court of Common Pleas  
Thomas W. Cooper, Jr., Circuit Court Judge

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S.C. Supreme Court

Appellate Case No. 2007-065159  
Opinion No. 27466  
Heard September 18, 2012—Filed November 12, 2014

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Abbeville County School District, *et al.*,

Appellants-Respondents,

vs.

The State of South Carolina, *et al.*, of whom  
Hugh K. Leatherman, as President Pro Tempore  
of the Senate and as a representative of the  
South Carolina Senate, and James H. Lucas,  
as Speaker Pro Tempore of the House of  
Representatives and as a representative of  
The South Carolina House of Representatives,  
are

Respondents-Appellants,

and

State of South Carolina, Nikki R. Haley,  
as Governor of the State of South Carolina,  
are

Respondents.

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**PETITION FOR REHEARING OF RESPONDENTS  
STATE OF SOUTH CAROLINA AND GOVERNOR HALEY**

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Respondents State of South Carolina and Nikki R. Haley, as Governor of the State of South Carolina, petition for rehearing of this case pursuant to Rule 221, SCACR.<sup>1</sup> They respectfully submit that the majority opinion in this case overlooks matters in the Record and misapprehends the law in this case for those reasons set forth in the dissenting opinion in this case and also in the legal arguments of the Respondents-Appellants Leatherman and Lucas in which they concur. The State and the Governor assert that the Defendants in this case have met the requirements of S.C. Const. art. XI, §3, and that they believe that every child can learn and learn at high levels, including children living in poverty. *See also*, letter of concurrence in Respondents-Appellants' brief, July 2, 2012.

The Executive Branch, through the Governor's Administration and the Secretary of Education, plays a key role in developing, advancing and budgeting for education initiatives for all students in the state, including those in rural, poorer school districts. The Legislature clearly has the sole constitutional duty to provide for the maintenance and support of public schools. The majority has improperly stepped into these long-established roles held by both the Executive and Legislative branches in *Abbeville County School District, et al. v. The State, et al*, Op. No. 27466, 2014 WL 5839956 (S.C. Nov. 12, 2014). The majority has also overlooked recent education initiatives put in place by the Governor's Administration and the General Assembly that will directly affect rural school districts in South Carolina. Improving education performance for all students,

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<sup>1</sup> Because the Governor's predecessor and the State did not appeal the December 29, 2005, and July 12, 2007, Orders of the Honorable Thomas W. Cooper, Jr, Circuit Court Judge, the State and the Governor do not request that any part of those Orders be reversed.

particularly students in rural school districts, is an on-going, critically important goal for the Executive and Legislative branches, school districts, and teachers. *See* attached, Governor Nikki R. Haley, *K-12 Education Reform Initiative*, January 8, 2014 (all proposals were substantively adopted by the General Assembly). This goal has remained a constant and will not change irrespective of the majority's decision.

For the foregoing reasons, the State and the Governor respectfully request that this Court grant rehearing in this case.

Respectfully submitted,

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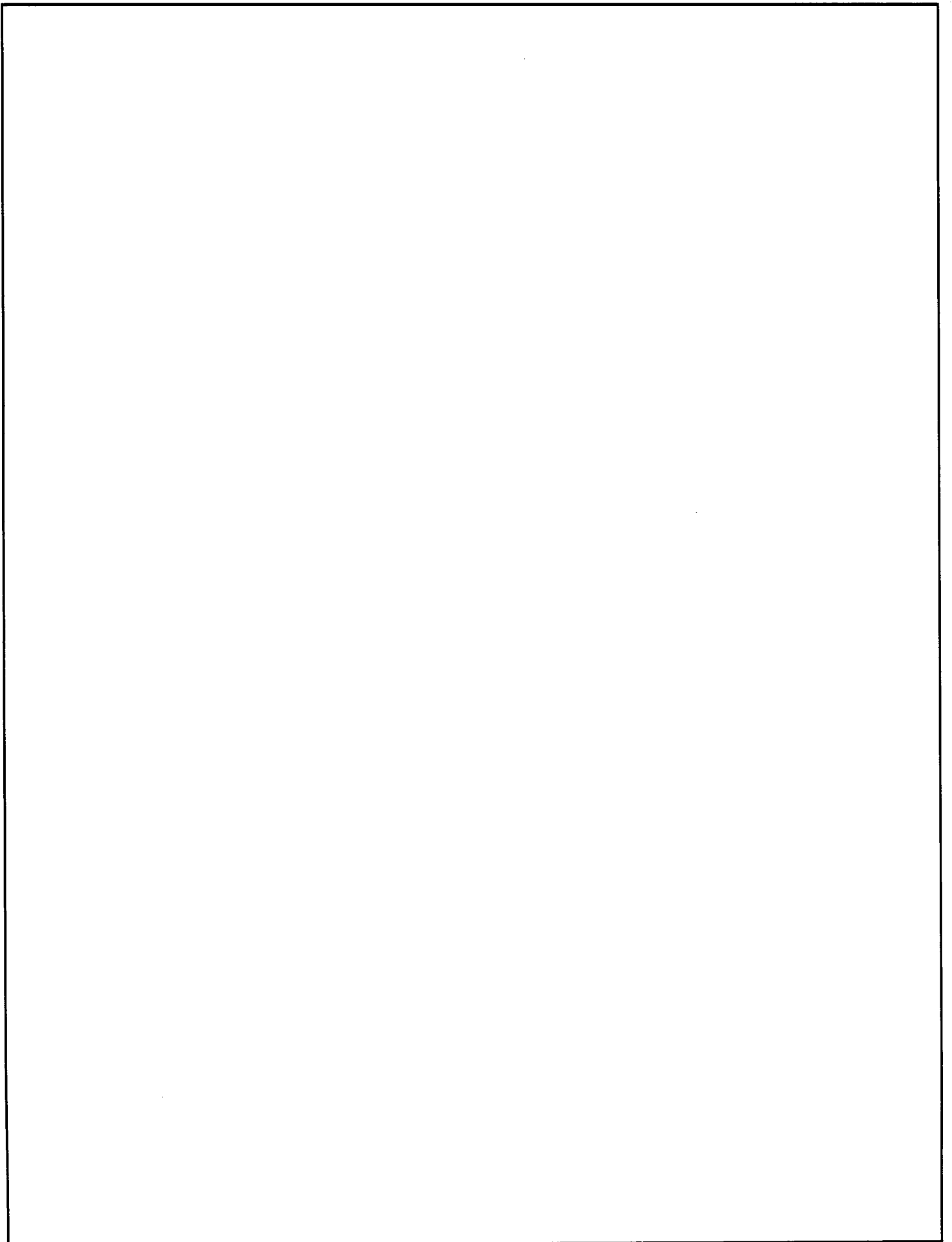
BY:   
Attorneys for the State and the Governor

December 30, 2014

# K-12 Education Reform Initiative

Governor Nikki R. Haley

2014



## OVERVIEW

Over the past several months, Governor Nikki R. Haley, members of South Carolina's General Assembly, teachers, administrators, business leaders, and stakeholders worked together to identify the challenges facing our public schools and determine how to best overcome them. It's time for South Carolina to take significant steps towards transforming our schools, ensuring they are preparing all of our children for college or careers.



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## Adopting a Fairer and Simpler Education Funding Formula

***Funding high-poverty districts, while eliminating several unnecessary weights and redundant programs, will improve equity and allow students to receive a more customized education.***

### **The Challenge**

*The current K-12 funding formula is inequitable and outdated; it fails to target funding to the areas where it is truly needed.*

- Poverty is not a factor in the Education Finance Act's (EFA) funding formula for schools, even though the relationship between poverty and student achievement has been thoroughly documented.<sup>1</sup>
- South Carolina has the fastest-growing proportion of English Language Learners (ELLs) in the country, but unlike nearly every other state, does not account for this in its K-12 funding.<sup>2,3</sup>
- Despite the fact that the annual per-student costs of educating elementary, middle, and high school students in South Carolina are only a few dollars apart from each other, the current model provides districts with 25% more per-student for high schoolers than it does for students in the 4<sup>th</sup> through 8<sup>th</sup> grades.<sup>4</sup>

### **The Response**

*Converting to the recommended funding model would eliminate the disparities in funding by grade level and direct additional resources for more students requiring individualized instruction, higher levels of low-English proficiency, and most importantly, for districts with children in poverty.*

- School districts will receive 20% more funding for students included in the "poverty index" – those children eligible for free or reduced-price meals and/or Medicaid. Research shows that the cost of teaching low-income students with proven instructional models is roughly \$1,200 more per pupil.<sup>5,6</sup>
- Base per-student funding for all K-12 grades will be equalized.
- A 20% supplement will also be provided for students with low-English proficiency who require individualized instructional plans that include family involvement.
- Additional add-on weights will apply to cover all children requiring a more individualized education plan, including the gifted and talented, those failing to show basic proficiency on standardized tests, and students aged 17 to 21 who are pursuing a diploma or GED through an adult education program that is not in a traditional school-based setting.
- Increasing the amount of money – and the proportion of all K-12 funding – that is distributed through the revised EFA funding formula will keep more dollars in the classroom.

### The Challenge

South Carolina's schools are funded through an incomprehensible mix of hundreds of programs and funding streams, each with their own compliance burdens and programmatic restrictions.

- State support for pre-kindergarten programs, student transportation services, instructional materials, the modernization of vocational equipment, and various other services is split between the General Fund, the Education Improvement Act (EIA), the Lottery Expenditure Account, and other sources.
- Each funding source must be separately accounted for at the state and district levels, increasing the administrative workload and making it harder for the public to piece together the true costs and benefits of each program or activity.

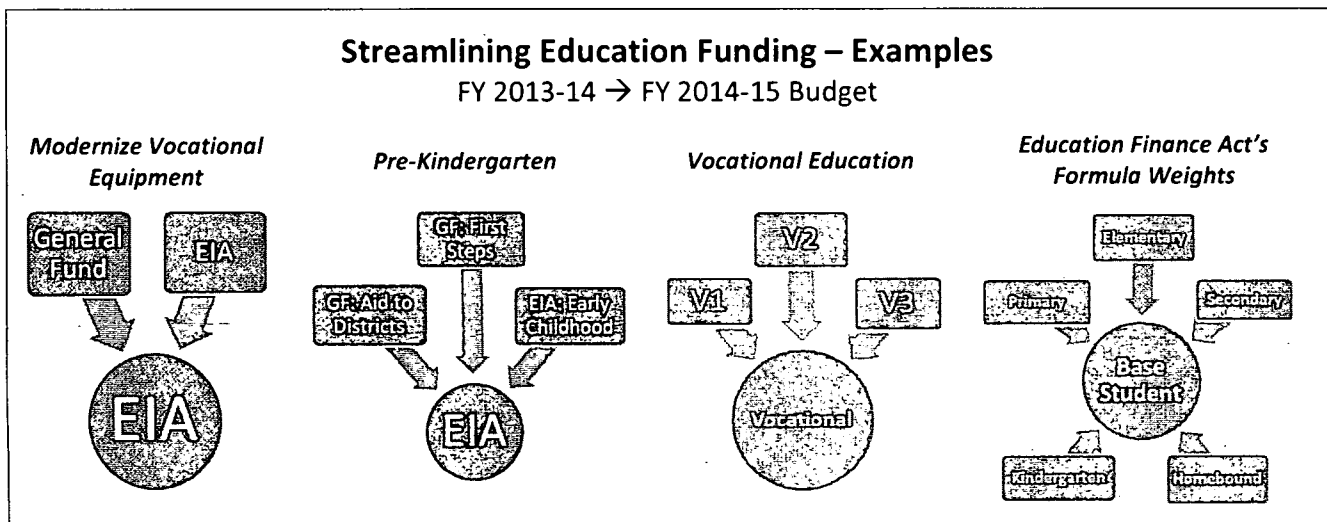
### The Response

Gov. Haley's Executive Budget for Fiscal Year (FY) 2014-15 consolidates funding for several programs; the revised funding formula will also allow for some existing weights and EIA programs to be eliminated.

- Funding for all public and private pre-kindergarten programs (4K and First Steps) will be consolidated in the EIA.
- Support for the modernization of vocational equipment will be consolidated in the EIA.
- The existing "High Achieving Students" program in the EIA will be eliminated; the new weighting for gifted and talented students in the revised EFA formula will provide districts with a net increase of \$5.4 million for these services.
- The budget begins to consolidate funding for student transportation services in the General Fund by shifting a portion of the EIA's transportation funds there and by annualizing a portion of the current year's non-recurring funding for student transportation in the General Fund.
- Transitioning to the new funding model allows for five grade-specific weightings (including homebound students) for students to be collapsed into one. Similarly, three existing weightings for vocational education will be replaced with just one.

### Streamlining Education Funding – Examples

FY 2013-14 → FY 2014-15 Budget



## Promoting Student Success by Emphasizing Reading

***Ensuring that students are proficient readers before advancing them beyond 3<sup>rd</sup> grade will improve their performance through middle and high school and reduce dropout rates.***

### **The Challenge**

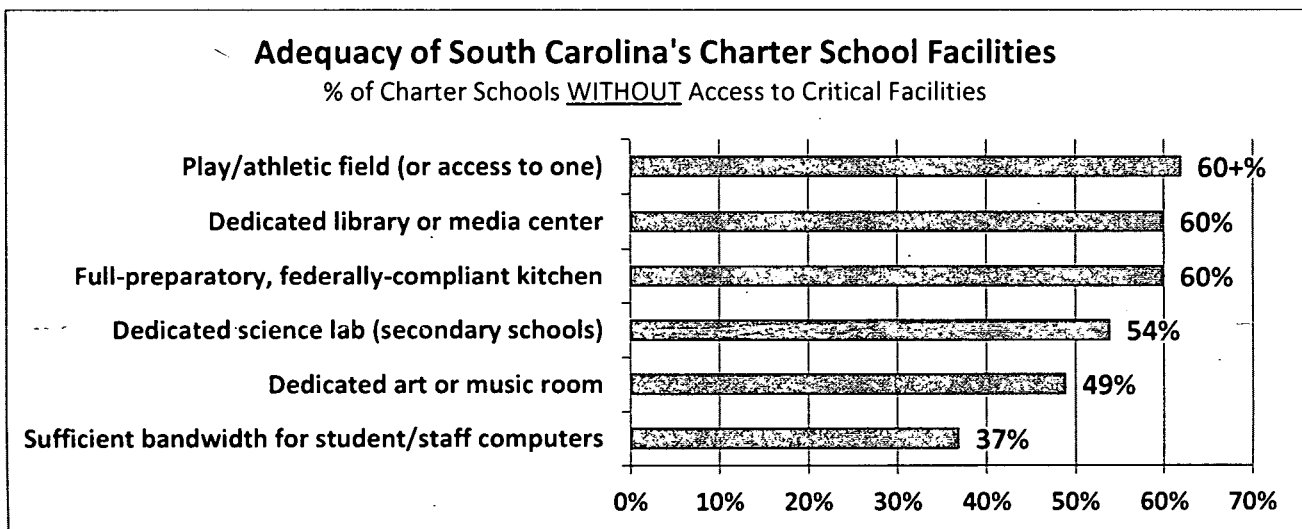
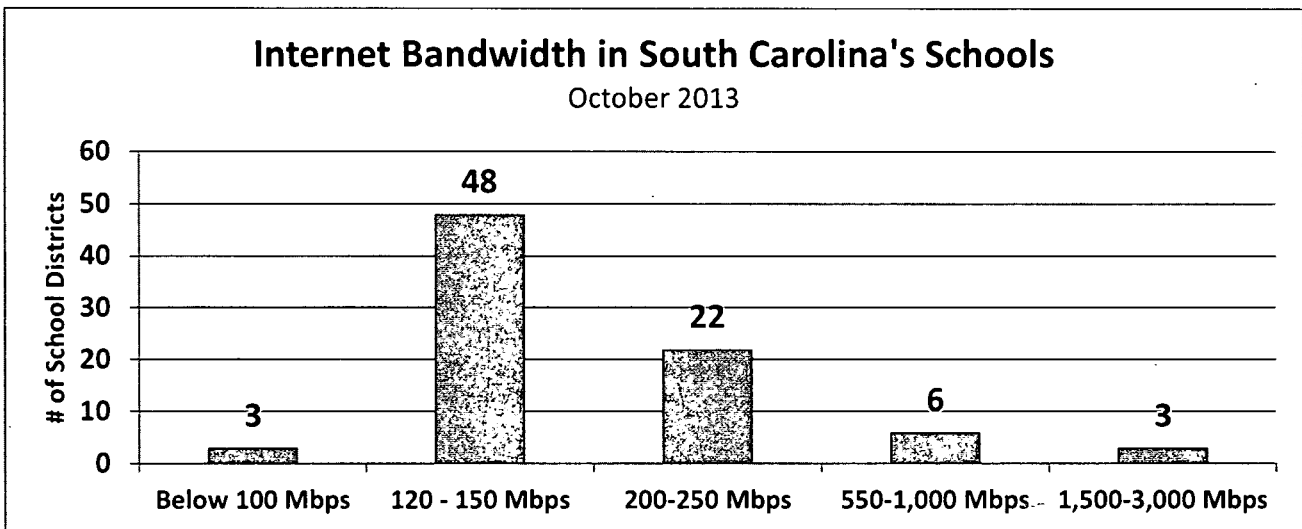
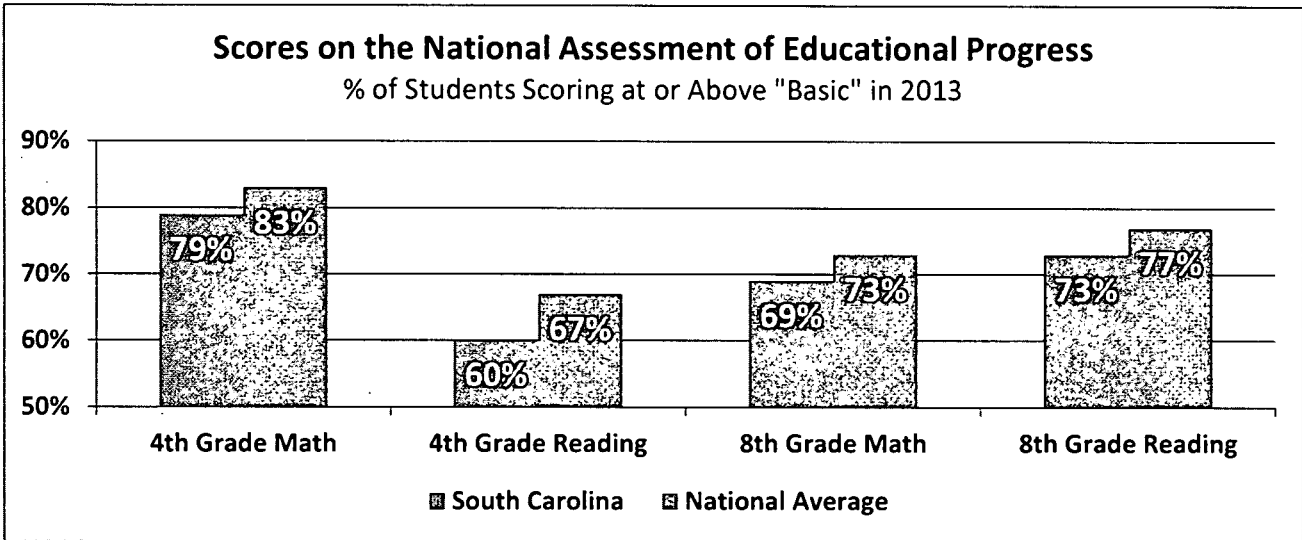
*Too many of South Carolina's students are being promoted through the 3<sup>rd</sup> grade without having sufficiently developed their reading skills, setting them up for failure later in school and in life.*

- South Carolina placed 42<sup>nd</sup> among the states for the percentage of 4<sup>th</sup> graders scoring at or above basic on the National Assessment of Educational Progress in 2013.<sup>7</sup>
- Children who are not reading proficiently by the end of 3<sup>rd</sup> grade are four times less likely to graduate from high school on time than students who meet the standard.<sup>8</sup>
- Reading levels in 3<sup>rd</sup> grade are a significant predictor of later performance in middle school and high school, even after accounting for demographic characteristics and school influences.<sup>9</sup>

### **The Response**

*Gov. Haley proposes to adopt a 3<sup>rd</sup> grade retention policy and dramatically increase the state's investment in early literacy programs including reading coaches, summer reading camps, and expanded reading-related professional development for teachers.*

- The FY 2014-15 Executive Budget establishes a new \$29.5 million Reading Coach program that offers funding for a reading coach in every public elementary school in South Carolina. The 300 elementary schools in which 20% or more of students failed to meet the basic state standards in reading will receive a fully state-funded coach; the other 340 schools will be offered half-funding, if the school district agrees to match.
- The RAND Corporation's researchers found "that receiving a state-funded coach was associated with statistically significant improvements in average annual reading achievement gains" and that coaching likely had a greater impact in the lowest performing schools.<sup>10</sup>
- A recent four-year longitudinal study of a specific form of the reading coach model found "substantial effects" of improved student literacy for kindergartners through 2<sup>nd</sup> graders, and that these positive impacts were sustained through the intervening summers.<sup>11</sup>
- Gov. Haley's budget for the upcoming year also quadruples the state's investment in summer reading camps, from \$1.5 million to \$6 million.
- Florida's 3<sup>rd</sup> grade reading policies – including summer camps and retention – were found to "increase reading proficiency quite substantially after only two years."<sup>12</sup>
- Gov. Haley's budget offers up to \$5 million in state funding for reading-related professional development for South Carolina's teachers in FY 2014-15.



## Investing in Educational Technology and Connectivity

***Modernizing technology in our schools and improving bandwidth will give students greater access to educational content and also critical computer skills their future employers will demand.***

### ***The Challenge***

*Access to high-speed internet connections, modern educational technology, and digital instructional materials such as electronic software and textbooks varies widely in our schools – simply put, many of our schools do not have the adequate technology to teach our children in the 21<sup>st</sup> Century.*

- The K-12 Technology Initiative Committee has determined that it would cost \$97.2 million to address the current technological needs of our public schools.<sup>13</sup>
- Internet bandwidth in South Carolina ranges from three districts that are below 100 megabits/second (Mbps) to the top three districts, which fall between 1,500 and 3,000 Mbps.<sup>14</sup>
- Countless studies have shown that enhanced educational technology can have a positive impact on student achievement. For instance, 14 of the 19 studies reviewed by the U.S. Department of Education's Institute of Education Sciences showed that educational technology had "strong positive effects" on student achievement.<sup>15</sup> Similar results have been obtained in math, science, and other fields.<sup>16</sup>
- One of the major findings of a 2007 review of digital equity in the K-12 setting was that "educators are receiving inadequate technology professional development."<sup>17</sup> This view was echoed by a number of teachers who have joined the conversation in the past year.

### ***The Response***

*Gov. Haley's FY 2014-15 budget calls for an unprecedented investment in K-12 technology and related teacher training as the first step in a multi-year commitment. While every district in South Carolina will benefit from this investment, funds will be allocated based on poverty indices to ensure that we are truly bridging the digital divide.*

- The FY 2014-15 Executive Budget dedicates one-quarter of the Capital Reserve Fund (\$29.3 million) to improving bandwidth to school facilities, bolstering wireless connectivity within school walls, and launching or enhancing 1-to-1 technology initiatives. School districts will be allocated funds based upon their average daily membership and their poverty indices; *the poorest districts will receive twice as much per-student as the wealthiest.*
- The \$10.2 million already provided for technology within the EIA will also continue.
- The current year's budget contained \$4 million in one-time funding for digital instructional materials; the 2014-15 spending plan raises this to \$12 million.
- To ensure that these investments will be translated into improved student achievement, Gov. Haley is also proposing to use \$4 million in one-time funds for technology-related professional development – it makes no sense for us to provide the technology to our schools and not the training that allows our teachers to get the most out of that technology, and in turn, our kids.

## Expanding High-Quality Public School Options for Families

***Placing charter schools on a more level financial playing field will expand the range of educational models for parents to consider for their children.***

### ***The Challenge***

*Charter schools continue to receive less financial support than their traditional counterparts, especially with respect to facilities. Several charters are listed among the state's finest schools, but others are failing to meet expectations.*

- Only 26% of charter school facilities and 65% of charter classrooms meet or exceed grade-level standards. Some 60% of charters are unable to obtain federal reimbursement for the free and reduced price meal program because they lack access to a full-preparatory kitchen.<sup>18</sup>
- School districts are restricting access to mothballed or underutilized facilities. Of the charter schools that are not currently sharing space, 46% do not believe that "the selection of schools that are given the opportunity to use available space for co-location is fair and transparent."<sup>19</sup>
- South Carolina's Department of Education reports that demand for its Virtual Schools Program is so great that more than 500 students per semester are now being turned away; this will likely be exacerbated by recent legislation that eliminated restrictions on the number of online credits students may count towards a high school diploma.

### ***The Response***

*South Carolina's families are voting with their feet – enrollment in charter schools, virtual education programs, and other alternative models is continuing to grow. Gov. Haley's budget encourages this competition and takes important steps to fund charters more equitably.*

- A 2013 Stanford University study reported that charter enrollment "has expanded among students in poverty, black students, and Hispanic students...these are precisely the students that, on average, find better outcomes in charter schools."<sup>20</sup>
- Charter schools continue to be immensely popular choices for South Carolina's families; enrollment is projected to increase by nearly 27% from the current school year to the next.
- In addition to accommodating this enrollment growth, Gov. Haley's budget for FY 2014-15 increases the per-student subsidies for students attending "brick and mortar" charter schools from \$3,250 to \$3,600 and for those attending virtual charters from \$1,700 to \$1,900.
- The Charter School Revolving Loan Facility Program will receive a \$4 million one-time allocation in order to provide charter schools with access to capital for the construction, purchase, renovation, or maintenance of facilities; the program was established in 2012 but never funded.
- Charters that receive the lowest performance rating three years in a row must be closed.
- The FY 2014-15 Executive Budget includes nearly \$750,000 to fund 10 additional teacher positions in the Virtual Schools Program.
- Changes to the operation of the Exceptional Needs Tax Credit program should increase contributions to nonprofit scholarship granting organizations – and ultimately, independent schools – by as much as \$2 million in the upcoming year, without impacting the General Fund.

## CONCLUSION

Governor Haley has long said that the quality of education that a child in South Carolina receives is far too dependent on where he or she is born and raised. Over the past year, the governor, members of the General Assembly, teachers, administrators, parents, and many others with a stake in the future of our children met to discuss that challenge – and others facing our schools, and our kids.

One thing rang true throughout this conversation – the children of South Carolina have enormous potential – however, our current education system is not preparing all of them to fully realize it.

There are still the “have’s” and the “have-nots.” That has to change. And we can change it.

We have an opportunity to transform education in South Carolina. We can make sure our youngest students can read, ensure our high school students are on pathways to promising futures, provide families with the highest quality public school options, and give teachers and leaders the preparation, support, and resources to help our children succeed.

And we can make sure that all of those things are true for every single child in South Carolina – not just the ones who were lucky enough to be born in the right place at the right time.



## TECHNOLOGY ALLOCATIONS

Total amount available for distribution in FY 2014-15: \$29,288,976

Poverty Index: Below 75	(\$35/ADM)	Poverty Index: 75 to 85	(\$50/ADM)	Poverty Index: 85 or Higher	(\$70/ADM)
• Aiken	\$ 832,418	• Abbeville	\$ 152,313	• Allendale	\$ 87,877
• Anderson 1	\$ 318,531	• Anderson 3	\$ 125,438	• Bamberg 2	\$ 53,708
• Anderson 2	\$ 128,374	• Bamberg 1	\$ 68,366	• Barnwell 19	\$ 53,899
• Anderson 4	\$ 98,504	• Barnwell 45	\$ 117,788	• Barnwell 29	\$ 63,913
• Anderson 5	\$ 428,364	• Cherokee	\$ 430,063	• Calhoun	\$ 113,011
• Beaufort	\$ 687,288	• Chester	\$ 264,045	• Clarendon 1	\$ 53,823
• Berkeley	\$ 1,047,430	• Chesterfield	\$ 362,788	• Clarendon 2	\$ 204,548
• Charleston	\$ 1,500,405	• Darlington	\$ 511,182	• Colleton	\$ 408,101
• Clarendon 3	\$ 41,391	• Dillon 3	\$ 77,738	• Dillon 4	\$ 286,411
• Dorchester 2	\$ 811,081	• Florence 2	\$ 58,881	• Dorchester 4	\$ 147,438
• Edgefield	\$ 117,184	• Florence 5	\$ 70,431	• Fairfield	\$ 193,020
• Florence 1	\$ 540,203	• Georgetown	\$ 468,255	• Felton Lab	\$ 7,853
• Greenville	\$ 2,512,393	• Greenwood 51	\$ 47,686	• Florence 3	\$ 249,951
• Greenwood 50	\$ 302,330	• Laurens 55	\$ 277,718	• Florence 4	\$ 51,682
• Greenwood 52	\$ 57,352	• Laurens 56	\$ 145,564	• Gov Sch Arts/Hum	\$ 15,470
• Horry	\$ 1,347,574	• Lexington 2	\$ 426,121	• Gov Sch Sci/Math	\$ 12,810
• Kershaw	\$ 356,706	• Lexington 3	\$ 93,984	• Hampton 1	\$ 166,907
• Lancaster	\$ 405,335	• Newberry	\$ 285,859	• Hampton 2	\$ 63,531
• Lexington 1	\$ 802,740	• Orangeburg 4	\$ 185,724	• Jasper	\$ 190,687
• Lexington 5	\$ 568,313	• Richland 1	\$ 1,142,470	• John de la Howe	\$ 1,750
• Oconee	\$ 365,479	• Saluda	\$ 105,492	• Juvenile Justice	\$ 46,803
• Pickens	\$ 563,731	• Spartanburg 7	\$ 341,090	• Lee	\$ 149,311
• Richland 2	\$ 905,322	• Sumter	\$ 813,726	• Lexington 4	\$ 219,735
• SC Public Charter	\$ 402,461	• Union	\$ 206,475	• Marion 10	\$ 344,952
• Spartanburg 1	\$ 169,255			• Marlboro	\$ 288,263
• Spartanburg 2	\$ 340,558			• McCormick	\$ 54,367
• Spartanburg 3	\$ 98,852			• Orangeburg 3	\$ 198,705
• Spartanburg 4	\$ 93,039			• Orangeburg 5	\$ 448,930
• Spartanburg 5	\$ 263,818			• Palmetto Unified	\$ 51,139
• Spartanburg 6	\$ 371,061			• Sch for Deaf/Blind	\$ 18,873
• York 1	\$ 171,703			• Wil Lou Gray	\$ 28,070
• York 2	\$ 227,055			• Williamsburg	\$ 309,386
• York 3	\$ 594,301				
• York 4	\$ 386,491				

Allocations are based upon a district's average daily membership (135-day ADM) in FY 2012-13, or for special schools not reporting this figure, the number of students reported in the *2013 Annual School Report Card* presented by the South Carolina Department of Education.

The "Poverty Index" is the percentage of students in a school district who qualify for free or reduced-price meals and/or are eligible for Medicaid.

Special schools are included in the highest "Poverty Index" category.

## READING COACHES

Every elementary school in the following districts will receive a 100% state-funded reading coach:

- Allendale
- Bamberg 1
- Bamberg 2
- Barnwell 19
- Barnwell 29
- Barnwell 45
- Calhoun
- Chester
- Clarendon 1
- Clarendon 2
- Dillon 3
- Florence 2
- Florence 3
- Florence 4
- Hampton 2
- Jasper
- Lee
- Lexington 3
- Lexington 4
- Marion
- Marlboro
- McCormick
- Orangeburg 3
- Orangeburg 4
- Williamsburg

The following elementary schools will also receive a 100% state-funded reading coach:

### Aiken

- Byrd Elementary
- Clearwater Elementary
- Cyril B. Busbee Elementary/  
A. L. Corbett Middle Schools
- East Aiken School of the Arts
- Gloverville Elementary
- Greendale Elementary
- J. D. Lever Elementary School
- Jefferson Elementary School
- Lloyd Kennedy Charter School
- Midland Valley Preparatory
- Mossy Creek Elementary
- North Aiken Elementary
- Oakwood Windsor Elementary
- Redcliffe Elementary School
- Ridge Spring-Monetta Elementary/  
Middle School

### Anderson 3

- Flat Rock Elementary School
- Starr Elementary

### Anderson 5

- Centerville Academy of 21st Century Learning
- Nevitt Forest Community School of Innovation
- New Prospect STEM Academy
- Varennes Academy of Communications and Technology

### Beaufort

- Broad River Elementary
- Hilton Head Island Elementary School for the Creative Arts
- Joseph S. Shanklin Elementary School
- Mossy Oaks Elementary School
- St. Helena Elementary
- Whale Branch Elementary School

### Berkeley

- Bonner Elementary School
- Cainhoj Elementary-Middle School
- Cross Elementary School
- J. K. Gourdin Elementary School
- Sedgefield Intermediate School
- St. Stephen Elementary

### Charleston

- C. Corcoran Elementary School
- Angel Oak Elementary School
- Apple Charter School
- C. Blaney Elementary School
- Chicora School of Communications:  
An Elementary Magnet
- E. B. Ellington Elementary School
- Edith L. Frierson Elementary School
- Edmund A. Burns Elementary
- Hunley Park Elementary School
- James Simons Elementary School
- Julian Mitchell Math and Science  
Elementary School
- Ladson Elementary School
- Lambs Elementary School
- Malcolm C. Hursey Elementary School
- Mary Ford Elementary School
- Memminger School of Global Studies
- Minnie Hughes Elementary School
- Mt. Zion Elementary School
- North Charleston Elementary School
- Pepperhill Elementary School
- Pinehurst Elementary School
- Sanders-Clyde Elementary School
- St. James-Santee Elementary School
- W. B. Goodwin Elementary School

### Cherokee

- Alma Elementary
- B. D. Lee Elementary School
- Blacksburg Elementary
- Draytonville Elementary
- Goucher Elementary School
- Grassy Pond Elementary
- Limestone-Central Elementary School
- Luther Vaughan Elementary School
- Mary Bramlett Elementary
- Northwest Elementary School

### Chesterfield

- Cheraw Intermediate School
- McBee Elementary School
- Pageland Elementary School

### Colleton

- Bells Elementary School
- Cottageville Elementary
- Forest Hills Elementary
- Hendersonville Elementary School
- Northside Elementary School

### Darlington

- Brockington Elementary Magnet  
School
- Brunson-Dargan Elementary School
- Rosenwald Elementary/Middle School
- Spaulding Elementary School
- Thornwell School for the Arts
- West Hartsville Elementary School

### Dillon 4

- Gordon Elementary School
- South Elementary School
- Stewart Heights Elementary

### Dorchester 4

- Clay Hill Elementary

## READING COACHES

The following elementary schools will also receive a 100% state-funded reading coach:

### Edgefield

- Douglas Elementary School
- Johnston Elementary
- W. E. Parker Elementary School

### Fairfield

- Fairfield Elementary School
- Geiger Elementary School
- McCrorey-Liston School of Technology

### Florence 1

- Dewey-Carter Elementary
- Greenwood Elementary School
- North Vista Elementary
- Savannah Grove Elementary School
- Theodore Lester Elementary

### Florence 5

- Johnsonville Middle School

### Georgetown

- Andrews Elementary School
- Brown's Ferry Elementary School
- Maryville Elementary School
- McDonald Elementary
- Plantersville Elementary School
- Sampit Elementary

### Greenville

- Alexander Elementary
- Armstrong Elementary School
- Berea Elementary School
- Cherrydale Elementary School
- Grove Elementary
- Heritage Elementary School
- Hollis Academy
- Lake Forest Elementary
- Legacy Charter School
- Monaview Elementary
- Robert E. Cashion Elementary
- Thomas E. Kerns Elementary
- Welcome Elementary School

### Greenwood 50

- Eleanor S. Rice Elementary
- Mathews Elementary School
- Woodfields Elementary

### Hampton 1

- Ben Hazel Primary
- Fennell Elementary School
- Hampton Elementary School
- Varnville Elementary School

### Horry

- Academy of Hope Charter
- Homewood Elementary
- Myrtle Beach Elementary School
- Pee Dee Elementary

### Kershaw

- Jackson School
- Midway Elementary School
- Pine Tree Hill Elementary School

### Lancaster

- Brooklyn Springs Elementary
- Clinton Elementary School
- Discovery School of Lancaster County
- Erwin Elementary
- Kershaw Elementary

### Laurens 55

- E.B. Morse Elementary School
- Ford Elementary
- Gray Court -Owings Elementary
- Laurens Elementary

### Laurens 56

- Clinton Elementary School
- Joanna-Woodson Elementary School

### Lexington 1

- Forts Pond Elementary School
- Pelion Elementary
- Red Bank Elementary School

### Lexington 2

- BC Grammar School #1
- Claude A. Taylor Elementary School
- Congaree Elementary School
- Herbert A. Wood Elementary School
- Saluda River Academy for the Arts

### Lexington 5

- Leaphart Elementary

### Newberry

- Boundary Street Elementary
- Gallman Elementary
- Newberry Elementary School
- Whitmire Community Elementary

### Oconee

- Blue Ridge Elementary
- James M. Brown Elementary School
- Westminster Elementary

### Orangeburg 5

- Bethune-Bowman Elementary
- Brookdale Elementary
- Dover Elementary School
- Marshall Elementary
- Mellichamp Elementary School
- Rivelon Elementary School
- Sheridan Elementary School

### Pickens

- Hagood Elementary School
- McKissick Elementary

### Richland 1

- C. Moore Elementary
- J. Greenview Elementary
- Arden Elementary
- Bradley Elementary
- Burnside Elementary
- Burton-Pack Elementary
- Carolina School for Inquiry
- Carver-Lyon Elementary
- Edward E. Taylor Elementary
- Forest Heights Elementary
- H. B. Rhame Elementary
- Hopkins Elementary
- Horrell Hill
- Hyatt Park
- John P. Thomas Elementary
- Logan Elementary
- Mill Creek Elementary
- Pine Grove Elementary
- Watkins-Nance
- Webber School
- William S. Sandel

## READING COACHES

The following elementary schools will also receive a 100% state-funded reading coach:

### Richland 2

- E. L. Wright Middle School
- Forest Lake Elementary Technology Magnet School
- Joseph Keels Elementary
- Kelly Mill Middle School
- Killian Elementary
- L. W. Conder Arts Integrated Magnet School
- Lonnie B. Nelson Elementary
- Pontiac Elementary
- Summit Parkway Middle School
- Windsor Elementary

### Saluda

- Saluda Elementary School

### Spartanburg 2

- Chesnee Elementary School

### Spartanburg 3

- Cannons Elementary School
- Cowpens Elementary School

### Spartanburg 5

- Beech Springs Intermediate School
- River Ridge Elementary School

### Spartanburg 6

- Arcadia Elementary School
- Jesse S. Bobo Elementary School
- Lone Oak Elementary School
- Roebuck Elementary School
- Woodland Heights Elementary

### Spartanburg 7

- Cleveland Academy of Leadership
- E.P. Todd School
- Houston Elementary School
- Mary H. Wright Elementary
- W. Herbert Chapman Elementary School

### Sumter

- Cherryvale Elementary School
- Crosswell Drive Elementary
- F. J. DeLaine Elementary
- High Hills Elementary School
- Kingsbury Elementary School
- Lemira Elementary School
- Manchester Elementary School
- Pocalla Springs Elementary School
- R.E. Davis Elementary
- Rafting Creek Elementary
- Wilder Elementary School
- Willow Drive Elementary School

### Union

- Foster Park Elementary School
- Jonesville Elementary Middle School
- Lockhart School
- Monarch Elementary School

### York 1

- Cotton Belt Elementary
- Harold C. Johnson Elementary School
- Hickory Grove/Sharon Elementary
- Jefferson Elementary School
- York Intermediate School

### York 3

- Ebenezer Avenue Elementary
- Finley Road Elementary
- Lesslie Elementary
- Northside Elementary School of the Arts
- Oakdale Elementary School STEM Magnet
- Richmond Drive Elementary
- Rosewood Elementary
- York Road Elementary

## READING COACHES

Every elementary school in the following districts will be eligible for a 50% state-funded reading coach:

- Abbeville
- Anderson 1
- Anderson 2
- Anderson 4
- Clarendon 3
- Dorchester 2
- Greenwood 51
- Greenwood 52
- Spartanburg 1
- Spartanburg 4
- York 2
- York 4

The following elementary schools will also be eligible for a 50% state-funded reading coach:

### Aiken

- Aiken Elementary School
- Belvedere Elementary
- Chukker Creek Elementary
- Hammond Hill Elementary
- Millbrook Elementary
- North Augusta Elementary School
- Warrentonville Elementary

### Anderson 3

- Iva Elementary School

### Anderson 5

- Calhoun Academy of the Arts
- Concord Elementary School
- McLees Academy of Leadership
- Midway Elementary School of Science and Engineering
- North Pointe Elementary
- Whitehall Elementary, A Global Communication School

### Beaufort

- Beaufort Elementary
- Bluffton Elementary and Early Childhood Center
- Coosa Elementary
- Hilton Head Island Elementary
- Lady's Island Elementary School
- Michael C. Riley Elementary and Early Childhood Center
- Okatie Elementary School
- Port Royal Elementary School
- Pritchardville Elementary
- Red Cedar Elementary School
- Riverview Charter School

### Berkeley

- Berkeley Intermediate School
- Boulder Bluff Elementary School
- Cane Bay Elementary School
- College Park Elementary School
- Daniel Island School
- Devon Forest Elementary School
- Hanahan Elementary School
- Howe Hall Arts Infused Magnet School (AIMS)
- Marrington Elementary School
- Sangaree Intermediate School
- Westview Elementary School
- Whitesville Elementary School

### Charleston

- Ashley River Creative Arts Elementary
- Belle Hall Elementary School
- Buist Academy
- Charles Pinckney Elementary School
- Charleston Development Academy Public Charter School
- Charleston Progressive Academy
- Drayton Hall Elementary School
- East Cooper Montessori Charter School
- Harbor View Elementary School
- James B. Edwards Elementary School
- James Island Elementary School
- Jane Edwards Elementary School
- Jennie Moore Elementary School
- Mamie P. Whitesides Elementary School
- Matilda F. Dunston Elementary School
- Mt. Pleasant Academy
- Murray-LaSaine Elementary School

### Charleston (cont.)

- Oakland Elementary School
- Orange Grove Elementary Charter School
- Springfield Elementary School
- St Andrew's School of Math and Science
- Stiles Point Elementary School
- Stono Park Elementary School
- Sullivan's Island Elementary School

### Cherokee

- Corinth Elementary School

### Chesterfield

- Edwards Elementary
- Jefferson Elementary
- Plainview Elementary School
- Ruby Elementary School

### Colleton

- Edisto Beach Elementary

### Darlington

- Carolina Elementary School
- North Hartsville Elementary School
- St. John's Elementary
- Washington Street Elementary

### Dillon 4

- East Elementary
- Lake View Elementary School

### Dorchester 4

- Harleyville Elementary
- Williams Memorial Elementary

## READING COACHES

The following elementary schools will also be eligible for a 50% state-funded reading coach:

### Edgefield

- Merriwether Elementary School

### Fairfield

- Fairfield Magnet School of Math and Science
- Kelly Miller Elementary

### Florence 1

- Briggs Elementary School
- Carver Elementary School
- Delmae Heights Elementary School
- Henry Timrod Elementary
- John W. Moore Intermediate School
- Lucy T. Davis Elementary School
- McLaurin Elementary School
- Palmetto Youth Academy
- Royall Elementary School
- Wallace Gregg Elementary

### Florence 5

- Johnsonville Elementary School

### Georgetown

- Coastal Montessori Charter School
- Kensington Elementary School
- Pleasant Hill Elementary School
- Waccamaw Elementary
- Waccamaw Intermediate School

### Greenville

- J. Whittenberg Elementary School of Engineering
- Augusta Circle Elementary School
- Bell's Crossing
- Bethel Elementary
- Blythe Academy of Languages
- Brook Glenn Elementary
- Brushy Creek Elementary School
- Bryson Elementary
- Buena Vista Elementary School
- Chandler Creek Elementary School
- Crestview Elementary School
- Duncan Chapel Elementary
- East North Street Academy of Math and Science
- Ellen Woodside Elementary
- Fork Shoals School
- Fountain Inn Elementary

### Greenville (cont.)

- Gateway Elementary School
- Greenbrier Elementary School
- Mauldin Elementary School
- Mitchell Road Elementary
- Monarch Elementary
- Mountain View Elementary
- Oakview Elementary
- Paris Elementary
- Pelham Road Elementary School
- Plain Elementary School
- Rudolph G. Gordon Elementary
- Sara Collins Elementary
- Simpsonville Elementary
- Skyland Elementary
- Slater-Marietta Elementary
- Sterling School
- Stone Academy
- Sue Cleveland Elementary
- Summit Drive Elementary School
- Taylors Elementary
- Tigerville Elementary School
- Westcliffe Elementary
- Woodland Elementary School

### Greenwood 50

- Hodges Elementary
- Lakeview Elementary School
- Merrywood Elementary School
- Pinecrest Elementary School
- Springfield Elementary School

### Hampton 1

- Brunson Elementary

### Horry

- Aynor Elementary School
- Bridgewater Academy Charter
- Burgess Elementary School
- Carolina Forest Elementary School
- Conway Elementary
- Daisy Elementary
- Forestbrook Elementary School
- Green Sea Floyds Elementary School
- Kingston Elementary School
- Lakewood Elementary
- Loris Elementary School
- Midland Elementary
- Myrtle Beach Elementary School

### Horry (cont.)

- North Myrtle Beach Elementary
- North Myrtle Beach Intermediate School
- Ocean Bay Elementary
- Palmetto Academy of Learning and Success
- Palmetto Bays Elementary School
- River Oaks Elementary School
- Seaside Elementary School
- Socastee Elementary
- South Conway Elementary
- St. James Elementary
- Waccamaw Elementary

### Kershaw

- Baron DeKalb Elementary
- Bethune Elementary School
- Blaney Elementary School
- Camden Elementary School of the Creative Arts
- Doby's Mill Elementary School
- Lugoff Elementary
- Mt. Pisgah Elementary School
- Wateree Elementary School

### Lancaster

- Buford Elementary
- Heath Springs Elementary School
- Indian Land Elementary School
- McDonald Green Elementary
- North Elementary School

### Laurens 55

- Hickory Tavern Elementary School
- Waterloo Elementary School

### Laurens 56

- Eastside Elementary School

## READING COACHES

The following elementary schools will also be eligible for a 50% state-funded reading coach:

### Lexington 1

- Carolina Springs Elementary School
- Gilbert Elementary School
- Lake Murray Elementary
- Lexington Elementary
- Meadow Glen Elementary
- Midway Elementary
- New Providence Elementary
- Oak Grove Elementary School
- Pleasant Hill Elementary School
- Rocky Creek Elementary School
- Saxe Gotha Elementary School
- White Knoll Elementary School

### Lexington 2

- Pineview Elementary
- Springdale Elementary School

### Lexington 5

- Ballentine Elementary
- Chapin Elementary
- Dutch Fork Elementary
- H. E. Corley Elementary
- Harbison West Elementary
- Irmo Elementary
- Lake Murray Elementary
- Nursery Road Elementary
- Oak Pointe Elementary
- River Springs Elementary
- Seven Oaks Elementary

### Newberry

- Little Mountain Elementary
- Pomaria-Garmany Elementary School
- Prosperity-Rikard Elementary
- Reuben Elementary

### Oconee

- Fair-Oak Elementary School
- Keowee Elementary School
- Northside Elementary
- Oakway Intermediate School
- Orchard Park Elementary School
- Ravenel Elementary
- Tamassee-Salem Elementary School
- Walhalla Elementary School

### Orangeburg 5

- Whittaker Elementary School

### Pickens

- A.R. Lewis Elementary
- Ambler Elementary School
- Central Elementary School
- Chastain Road Elementary School
- Clemson Elementary
- Crosswell Elementary School
- Dacusville Elementary
- East End Elementary School
- Forest Acres Elementary
- Holly Springs Elementary
- Liberty Elementary School
- Pickens Elementary
- Six Mile Elementary
- West End Elementary

### Richland 1

- Brennen Elementary
- Brockman Elementary
- Caughman Road Elementary
- Gadsden Elementary
- Meadowfield Elementary
- Rosewood Elementary
- Satchel Ford Elementary
- South Kilbourne Elementary

### Richland 2

- Bethel-Hanberry Elementary
- Bookman Road Elementary School
- Bridge Creek Elementary
- Catawba Trail Elementary School
- Lake Carolina Elementary
- Langford Elementary
- North Springs Elementary School
- Polo Road Elementary School
- Rice Creek Elementary
- Round Top Elementary
- Sandlapper Elementary

### Saluda

- Hollywood Elementary School

### Spartanburg 2

- Boiling Springs Elementary School
- Boiling Springs Intermediate School
- Carlisle-Foster's Grove Elementary
- Cooley Springs-Fingerville Elementary

### Spartanburg 2 (cont.)

- James. H. Hendrix Elementary IB Sch.
- Mayo Elementary School
- Oakland Elementary School

### Spartanburg 3

- Clifdale Elementary
- Pacolet Elementary School

### Spartanburg 5

- Abner Creek Academy
- Berry Shoals Intermediate School
- Duncan Elementary School
- Lyman Elementary
- Reidville Elementary School
- Wellford Academy of Science & Tech

### Spartanburg 6

- Anderson Mill Elementary
- Fairforest Elementary School
- Pauline-Glenn Springs Elementary
- West View Elementary School

### Spartanburg 7

- Jesse Boyd Elementary
- Pine Street Elementary School

### Sumter

- Alice Drive Elementary School
- Millwood Elementary School
- Shaw Heights Elementary

### Union

- Buffalo Elementary School

### York 1

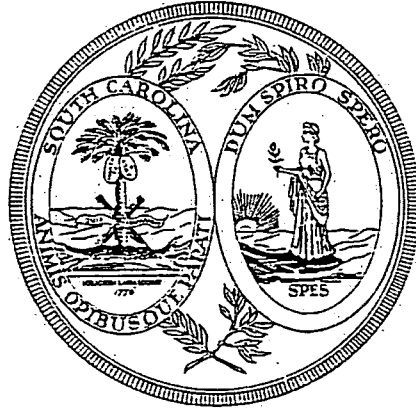
- Hunter Street Elementary

### York 3

- Belleview Elementary School
- Ebinport Elementary
- Independence Elementary
- India Hook Elementary
- Mount Holly Elementary School
- Mt Gallant Elementary
- Old Pointe Elementary School
- Sunset Park Center for Accel. Studies
- The Children's School at Sylvia Circle

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THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM LEE COUNTY  
Court of Common Pleas  
Thomas W. Cooper, Jr., Circuit Court Judge

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**S.C. Supreme Court**

Appellate Case No. 2007-065159  
Opinion No. 27466  
Heard September 18, 2012—Filed November 12, 2014

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Abbeville County School District, *et al.*,

Appellants-Respondents,

vs.

The State of South Carolina, *et al.*, of whom  
Hugh K. Leatherman, as President Pro Tempore  
of the Senate and as a representative of the  
South Carolina Senate, and James H. Lucas,  
as Speaker Pro Tempore of the House of  
Representatives and as a representative of  
The South Carolina House of Representatives,  
are

Respondents-Appellants,

and

State of South Carolina, Nikki R. Haley,  
as Governor of the State of South Carolina,  
are

Respondents.

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**CERTIFICATE OF SERVICE**

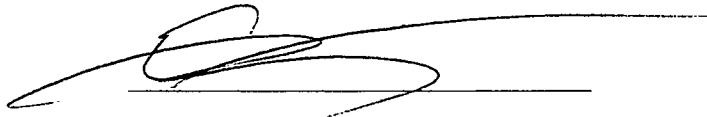
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I hereby certify that I have served the parties with the State's and the Governor's Petition for Rehearing by mailing copies to each of their attorneys at the addresses below via the United States Mail this December 30, 2014.

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A handwritten signature in black ink, appearing to read "J. Emory Smith, Jr.", is written over a horizontal line. The signature is stylized and cursive.

J. EMORY SMITH, JR.  
Deputy Solicitor General  
Bar No. 5262