

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM LEE COUNTY
Court of Common Pleas

Thomas W. Cooper, Jr., Circuit Court Judge

Appellate Case No. 2007-065159

RECEIVED

JUN 22 2017

S.C. SUPREME COURT

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 of the House of Representatives and
as a representative of The South Carolina House
of Representatives,
are

Respondents-Appellants,

and

The State of South Carolina, Henry D. McMaster,
as Governor of the State of South Carolina,
are

Respondents.

**Petition to Vacate Continuing Jurisdiction or, in the Alternative, Dismiss the South
Carolina House of Representatives as a Respondent, and Report of James H. Lucas, as
Speaker and Representative of the South Carolina House of Representatives,
in Compliance With the Court's September 20, 2016 Order**

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Introduction

Pursuant to Rule 240, SCACR, Respondent-Appellant James H. Lucas, as Speaker of the House of Representatives and as a representative of the South Carolina House of Representatives (“the House”), hereby petitions this Court to vacate its continuing jurisdiction over this case or, in the alternative, to dismiss the House as a Respondent-Appellant. This petition is based, in part, on the House’s Second Report to this Court, incorporated herein, as well as the Report submitted by the House on June 29, 2016.

I. Petition to Vacate Continuing Jurisdiction or, in the Alternative, to Dismiss the House as a Party.

In *Abbeville School District v. State of South Carolina*, 410 S.C. 619, 767 S.E.2d 157 (2014) (“*Abbeville I*”), the Court’s majority “direct[ed] both the Plaintiff Districts and the Defendants to reappear before this Court within a reasonable time from the issuance of this opinion, and present a plan to address the constitutional violation announced today, with special emphasis on the statutory and administrative pieces necessary to aid the myriad troubles facing these districts at both the state and local levels.” *Id.* at 661, 767 S.E.2d at 179 (footnote omitted). “Until the reappearance,” the Court declared that it would “retain jurisdiction of this case.” *Id.* In support of its decision to retain jurisdiction, the Court’s majority referenced *Brown v. Board of Education*, 349 U.S. 294 (1955), in which the United States Supreme Court ordered that the federal courts involved in several school desegregation cases “retain jurisdiction of these cases” until the defendants made “a prompt and reasonable start toward full compliance” with that Court’s prior decision in *Brown v. Board of Education*, 347 U.S. 483 (1955). *See Abbeville II*, 410 S.C. at 661, 767 S.E.2d at 179. The House has met—in fact, it has exceeded—this standard.

This filing represents the House’s second reappearance before this Court. On June 29, 2016, the General Assembly presented its First Report to the Court, and on August 25, 2016, the

General Assembly filed a Petition to Vacate Continuing Jurisdiction. The 2016 Report submitted by the General Assembly incontrovertibly demonstrated that efforts undertaken by the House constituted a good faith and rational means for improving the system of public education in South Carolina, as well as a “prompt and reasonable start” toward remedying the constitutional deficiency identified by this Court’s majority in *Abbeville II*. Indeed, in its Order dated September 20, 2017, this Court “commend[ed] the efforts of the defendants, especially the yeoman’s work of the House Task Force, to address the issues identified by this Court in *Abbeville II*.” (Order dated Sept. 20, 2017 at 8.) The Court found “the criticism leveled at the defendants by the plaintiff school districts unnecessary and unfounded.” *Id.* at 8-9. The Court found further that the House Task Force Report “contains a timeline as a framework for the General Assembly” and that “the General Assembly has taken action on a majority if not all of the findings/recommendations of the Task Force within the proposed time period” *Id.* at 9.¹ The Court applauded the General Assembly for “also implement[ing] other findings/recommendations” that were not a part of the timeline including

for instance, enacting legislation that, to an extent (1) incorporates the Task Force’s finding that the plaintiff school districts should have a vision for its leaders, to include measurable objectives for the school districts, complete with action plans developed collaboratively with the Department of Education, that will enable the school districts to achieve the ultimate expectations outlined in the Profile of the South Carolina Graduate, with the General Assembly specifying metrics to measure progress toward that goal; (2) implements the Task Force’s finding that a review of existing legislation should be conducted along with measures to update, modify, expand and consolidate goals for student achievement in order to better focus and guide school districts; and (3) incorporates portions of several of the Task Force’s findings that

¹ Consistent with that framework, in compliance with Proviso 1.92, the Facility Assessment Report for the Abbeville Plaintiff Districts was submitted to the Governor and the General Assembly on March 16, 2017.

suggest stronger involvement by and assistance from the South Carolina Department of Education.

Id. Notwithstanding this glowing commendation of the House's work, on September 20, 2016, this Court nevertheless opted "to continue to monitor the progress toward a constitutionally compliant education system by requiring the submission of another report by the parties" (*Id.* at 9-10.)

While the House is complying once again with the Court's 2016 directive, the time has come for this Court to either vacate its continuing jurisdiction over this case or dismiss the House as a party to this action. A court's decision to retain jurisdiction "is inconsistent with the assumption that the Legislature, as a constitutional body, would comply with the constitutional mandate." *Seattle Sch. Dist. No. 1 v. State*, 585 P.2d 71, 105 (1978); *Rose v. Council for Better Educ., Inc.*, 790 S.W.2d 186, 214 (1989) (finding that the decision of the trial court to require defendants to "report . . . on their progress is a clear incursion, by the judiciary, on the functions of the legislature"). By this Court's own admission, the reports previously submitted by the parties "indicate a studied and dedicated approach has been and will continue to be taken by the defendants to resolve the issues identified . . . in *Abbeville II* and to provide the students in the plaintiff school districts with an opportunity to obtain a minimally adequate education." (Order at 9.)

As established below, in response to *Abbeville II* the House has continued to pursue a studied and dedicated approach to implement a constitutionally compliant education system, and therefore no basis exists for the Court's continued jurisdiction over this action or maintenance of the House of Representatives as a party. The House acknowledges other parties have more work to do; however, the House has repeatedly demonstrated that it will do its part to support constitutional compliance. Prior and current legislative efforts are clear and undeniable

indicators that the House will continue its efforts to improve public education in South Carolina regardless of whether the Court vacates jurisdiction and allows the House to continue unfettered in its efforts for the first time in decades. Indeed, following trial and before this case came before this Court, in response to the trial court's order, the General Assembly enacted several bills intending not only to address the constitutional violation identified by the trial court, but also sought to improve public education in a variety of other ways, and on a recurring basis in the Plaintiff Districts.²

Acknowledging that “fault in this case—and more importantly, the burden of remedying this constitutional deficiency—does not lie solely with the Defendants[.]” *Abbeville II*, 410 S.C. at 662, 767 S.E.2d at 179, in *Abbeville II* the Court's majority instructed that “the Plaintiff Districts must work in concert with the Defendants to chart a path forward which appropriately prioritizes student learning.” *Id.* at 660, 767 S.E.2d at 178. The House has not only attempted to include the Plaintiff Districts as part of any discussion on constitutional compliance, but also has adopted most, if not all, of the recommendations of the Plaintiff Districts.

Specifically, following *Abbeville II*, Speaker Lucas commissioned the Education Policy Review and Reform Task Force, which included several representatives from the Plaintiff Districts. The Task Force was chaired by Representative Rita Allison and comprised of sixteen additional members. The Plaintiff Districts were asked to appoint five members. Those members were as follows: Dr. Wanda Andrews (Superintendent of Lee County School District), Dr. David Longshore (former superintendent of Orangeburg School District 3), Dr. Terry Peterson

² Some of the legislation enacted as part of the 2006-2007 General Appropriations Bill included the Child Development Education Pilot Program; \$25 million in recurring funding to place licensed nurses in each public elementary school; \$6.1 million for the Parenting/Family Literacy Initiative; funding for current instructional materials and textbooks; \$81 million for technical assistance; a teacher student loan forgiveness program; the K-12 Technology Initiative; and a statewide Student Laptop Program.

(Director of the Afterschool and Community Learning Network), Rick Reames (Executive Director of the Pee Dee Education Center), and Mr. John Tindal (Superintendent of Clarendon School District 2).

Legislative members appointed to the Task Force were included because of their position in the House or their experience with the Plaintiff Districts. Representative Kenneth “Kenny” Bingham chaired the Ways and Means Public Education and Special Schools Subcommittee, and Representatives Joe Neal, Jackie Hayes, and Dwight Loftis also served on Ways and Means (Representative Hayes represents and works for a Plaintiff District). Representatives Joe Daning and Jerry Govan both represent Plaintiff Districts and served on the House Education and Public Works Committee. Speaker Lucas also appointed Dr. Rainey Knight, a former Superintendent of Darlington County Schools, and asked State Superintendent of Education Molly Spearman and State Technical College System President Jimmy Williamson to serve as well. Finally, the business community was represented by April Allen, who works with Continental Tire Corporation, and Lewis Gossett who is the Executive Director of the South Carolina Manufacturer’s Alliance.

The Task force met six times—four times in Columbia, once in Dillon and once in Due West (Abbeville County). All hearings were open to the public, and the Task Force heard from numerous speakers including the Honorable Richard W. Riley, Former State Superintendents of Education Barbara Neilson and Inez Tenenbaum, legal experts, educators from the Plaintiff districts, and representatives from several education associations.

In response to the recommendations of the Task Force, the House created and adopted legislation addressing many of the proposals and ideas of the Plaintiff Districts. Since that time, however, representatives from the Plaintiff Districts have failed to fully attend meetings held by

the House Education Committee Chair in the Plaintiff Districts or correspond with the Chair of the Task Force or the Speaker about new solutions to remedy the constitutional violation or what steps they believe should be taken next.³

In fact, even mere suggestions of systemic changes are given short shrift by many in the education arena. In an article appearing in the April 11, 2017 edition of *The State*,⁴ State Superintendent of Education Molly Spearman was interviewed about the district efficiency reports that were mandated and funded by the General Assembly in the 2016-2017 Appropriations Act. The Superintendent was reported to have said that “[s]ome school districts—especially small, rural ones—need to merge with their neighbors or consolidate services to cut costs. . . .” Spearman went on to say, however, that the state should not force districts to consolidate, and the Executive Director of the South Carolina School Boards Association agreed by stating that “[u]nless the community buys into something like that, it’s very difficult to accomplish.” It appears that ideas intended to create better conditions for the students are ignored or opposed if they interfere with the established education system.

Instead of waiting on recommendations from the Plaintiff Districts or the State Department of Education, the House took the initiative and established two committees: the Ad Hoc Committee on Competency Based Education and Education Reform, and the Committee on Educator Retention and Recruitment—a study committee whose purpose is to address the

³ See 2016 Education Reform Student Advisory Council Itinerary, attached hereto as **Exhibit A**.

⁴ Jamie Self, *Want more state money? School Districts should merge services first, SC superintendent says*, The State Newspaper, April 12, 2017, available at <http://www.thestate.com/news/politics-government/politics-columns-blogs/the-buzz/article144087699.html> (last visited June 15, 2017).

growing educator shortage.⁵ Moreover, on her own initiative, and with full support of the Speaker, the Chair of the House Education and Public Works Committee created the Education Reform Student Advisory Committee in order to gain deeper insights from students representing each Plaintiff District. Finally, in an effort to end the piecemeal approach to education policy and funding, the Chair of the House Ways and Means Committee has appointed a special ad hoc committee to explore ways to simplify education funding and allow school districts the flexibility to decide how to get the most out of state resources directed to education.⁶

Good faith on the part of the House cannot be denied. The House has demonstrated that it intends to continue its march toward constitutional compliance in earnest. The Court must recognize the progress made by the General Assembly as a whole, and the House specifically, at some point. The Court can do so by either vacating jurisdiction or releasing the House as a party to this action. At this point, the only possible rationale for this Court to continue its jurisdiction over this matter or maintain the House as a party would be that the Court intends to sit as some sort of a super-legislature to evaluate policy choices proposed by the House even before those choices may be enacted into law—something that not only violates the doctrine of separation of powers, but also something that this Court would be doing after specifically declaring that it had no intention of doing so. *Abbeville County Sch. Dist. v. State*, 335 S.C. 58, 69, 515 S.E.2d 535, 541 (1999) (“*Abbeville I*”) (“We do not intend by this opinion to suggest to any party that we will usurp the authority of [the legislative] branch to determine the way in which educational opportunities are delivered to the children of our State.”). Accordingly, this Court should grant the House’s Petition to Vacate Continuing Jurisdiction or, in the Alternative, Dismiss the South Carolina House of Representatives as a Respondent.

⁵ See Proviso 1.92, attached hereto as **Exhibit B**.

⁶ See Release dated June 16, 2017, attached hereto as **Exhibit C**.

II. The 2017 South Carolina House of Representative’s Report to the Court.

A. The tools of a constitutionally compliant education system.

In *Abbeville II*, the Court’s majority found that “a robust educational scheme appears to be at work in the Plaintiff Districts. The instrumentalities of learning—funding, curriculum, teachers, and programs—are present and appear at the very least minimally adequate.” *Abbeville II*, 410 S.C. at 638, 767 S.E.2d at 167. Yet in concluding that the Defendants “have failed in their constitutional duty to ensure that students in the Plaintiff Districts receive the requisite educational opportunity,” *id.* at 662, 767 S.E.2d at 180, the majority stated that “[i]t was time for the Defendants to take a broader look at the principal causes for the unfortunate performance of students in the Plaintiff Districts, beyond mere funding.” *Id.* at 660, 767 S.E.2d at 178.

Funding, however, is the principal means by which the House can act to ensure that the requisite educational opportunity is present. *See id.* at 676, 767 S.E.2d at 188 (Kittredge, J., dissenting) (“Although we are not told precisely what the General Assembly must do to comply with today’s mandate, it cannot be denied that increased funding must be part of the legislative response.”). But a second means also exists—namely, enacting legislation that equips entities such as the State Department of Education (“SDE”) and the State Board of Education with the resources and authority necessary to address and remedy the “unfortunate performance” of students in the Plaintiff Districts. As part of the General Assembly, the House has proposed and enacted several pieces of legislation over the last two sessions that enable SDE and the State Board of Education to better assist schools in the Plaintiff Districts. These House-sponsored tools include several key pieces of legislation.

1. 2016 Policy Legislation

Recognizing that the state lacked a vision for K-12 education, the General Assembly adopted the Profile of the South Carolina Graduate to act as both a cornerstone and roadmap for education reform. Act 195 of 2016 sets forth the overall standards by which graduates should be measured, and establishes South Carolina's achievement goals for all high school students. The Act provides that students should have the opportunity to learn one of a number of foreign languages, and have offerings in science, technology, engineering, mathematics, arts, and social sciences.

A major resource SDE now has at its disposal is greater discretion, control, and input for dealing with schools in the Plaintiff Districts. For example, Act 241 of 2016 requires, among other things, SDE to "monitor the professional development of teachers, staff, and administrators in districts SDE determines are underperforming, and to ascertain what changes are needed in accordance with the Education Accountability Act." S.C. Code Ann. § 59-18-1610 (Supp. 2016). Act 178 of 2016 codified the Office of Transformation and prescribed specific duties, including that it must "provide technical assistance to underperforming schools and districts as directed by the Superintendent of Education." S.C. Code Ann. § 59-18-1575 (Supp. 2016). To facilitate the provision of technical assistance, the 2016-2017 General Appropriations Act contains Proviso 1A.12⁷, which empowers SDE to create a tiered system for technical assistance to low-performing schools and districts that will receive intensive technical assistance. SDE must perform a diagnostic review of low-performing schools, and districts must be reviewed by an external review team in the year of designation and every third year thereafter. Based on the

⁷ A copy of Proviso 1A.12 is attached hereto as **Exhibit D**.

recommendations in the reviews, low-performing schools and districts must develop and submit to SDE a school renewal or district strategic plan outlining goals for improvements. SDE will assist low-performing schools and districts in designing and implementing the strategies identified in the plans, monitor student academic achievement and progress on implementation of the plan, and report their findings to specified members of the General Assembly, the Governor, and the local legislative delegation.

Pursuant to this proviso, SDE may declare a state of emergency in a district if the accreditation is placed in probationary status or denied, if a majority of schools fail to show improvement, if the district is classified as being in “high risk” status financially, or for financial mismanagement resulting in a deficit. Upon declaration of a state of emergency, the Superintendent of Education may take over management of the school or district. Currently, Florence School District 4 and the Allendale County School District are the only districts under this type of SDE control.

2. Policy Legislation Proposed and Enacted in 2017

The House did not merely rest on the 2016 initiatives. In 2017, the House adopted several bills, three of which have been enacted into law, and two of which now reside in the Senate:

a. The South Carolina Education School Facilities Act: H.3343

H.3343 is the crown jewel among the bills pertaining to education passed by the House in the 2017 legislative session. The bill provides for state financial assistance to school districts through such means as the issuance of state general obligation bonds and the awarding of grants that must be used for permanent school instructional facilities, health and safety upgrades, technology access inside the school, and fixed building assets, including the costs of

construction, improvement, enlargement, or renovation of school facilities. The legislation does not provide financial assistance for facilities normally identified with interscholastic sports activities.

SDE is charged with conducting a comprehensive study of all district facilities and physical assets, and must provide an annual prioritization report that ranks the qualified school projects. The total project cost must not exceed \$200,000,000.

Financial assistance is to be allocated using the priorities established by SDE's Office of School Facilities as approved by the State Board of Education. Upon review of the information, the General Assembly may, through budget proviso or joint resolution, set the principal amount of the State School Facilities General Obligation Bonds to be considered. Upon approval of the Joint Bond Review Committee, the project prioritization report, with certification from the State Board of Education, must be submitted to the State Fiscal Accountability Authority in order for bonds to be issued. The State Board of Education must establish a revolving fund with such monies as may be appropriated by the General Assembly to operate a grant program that provides nonrecurring aid to school districts for facility maintenance expenses to include roof and heating and air conditioning repairs or replacements.

H.3343 currently resides in the Senate Committee on Finance.

b. Fiscal Accountability and Intervention: H.3221, Act 23 of 2017

Of course where funds are directed, responsibility for how they are spent must attach. H.3221 requires the SDE to establish a program for identifying fiscal practices and budgetary conditions that could compromise the fiscal integrity of a school district. The program must contain three levels of concern: (1) "fiscal watch"; (2) "fiscal caution"; and (3) "fiscal emergency."

The bill requires SDE to work with district superintendents and finance officers to develop the program's guidelines. If the state superintendent determines that corrections within a district have not occurred, or if there is a law enforcement investigation involving a district, the State Superintendent must declare a fiscal watch. If an audit shows a district is operating outside of accounting principles, or that the district does not maintain at least a two percent reserve fund, the State Superintendent may announce a watch. Once a watch is in place, a district must submit a recovery plan to the State Superintendent within sixty days. If approved, the district must implement the plan, and SDE will provide assistance.

A district may not be released from a fiscal watch in the same fiscal year in which the watch is declared, but may be released the following fiscal year if SDE determines that corrections have been implemented. If audits show the possibility of a fiscal emergency, the superintendent may declare a "fiscal caution." The superintendent must declare a fiscal caution if the audit shows one of the following: the accounting practices are outside acceptable accounting limits; a district's audit is more than sixty days late; audits from the past two years show conditions that may lead to a fiscal emergency; district records are unauditable; the district is not maintaining a two percent fund reserve; there are significant weaknesses and deficiencies that have a significant impact on the district; or there is a law enforcement investigation involving the school board.

If a district fails to develop or follow a correction plan, is at risk of defaulting on any type of debt, is under a fiscal watch or fiscal caution for three fiscal years, or has problems that are severe enough to necessitate additional action, the State Superintendent must declare a fiscal emergency. Once declared, the state auditor must direct SDE to assume emergency management of the district until the emergency is ended.

Act No. 23 of 2017 [introduced in the House as H.3221], was ratified on May 4, 2017 and signed by the Governor on May 9, 2017.⁸ Therefore, the tools for fiscal accountability are in place for school districts.

c. **The South Carolina Education and Economic Development Coordinating Council: H.3220**

Keeping school initiatives relevant to current, “real world” needs remains crucial to an effective educational system. H.3220 reestablishes the South Carolina Education and Economic Development Coordinating Council. The Council is composed of twenty-eight individuals who must be representative of the ethnic, gender, rural, and urban diversity of the state, including, but not limited to, the following: the State Superintendent of Education; the Director of the Department of Employment and Workforce; the Secretary of Commerce; the Executive Director of the Commission on Higher Education; the Executive Director of the South Carolina Chamber of Commerce; the Chair of the Education Oversight Committee; legislators; business leaders; and representatives from the K-12 and higher education sectors that must be appointed by the State Superintendent of Education. The Chair of the Council must be one of the governor’s ten appointees from the business community.

The Council’s duties include advising SDE in regard to implementation of the Education and Economic Development Act (“EEDA”), reviewing accountability and performance measures, reporting on the progress and compliance of the Act to the General Assembly and the Governor, making recommendations for statewide awareness of the Act, and providing input to the Department of Commerce and State Board of Education. Given the Profile of the South Carolina Graduate’s focus on college and career readiness, a robust and modernized EEDA is

⁸ A copy of Act No. 23 of 2017 is attached hereto as **Exhibit E**.

important for students' post-graduate success. The reconstituted council can help ensure that districts—especially those lacking resources—maintain strong career pathways.

H.3220, Act No. 35, was ratified on May 9, 2017 and signed by the Governor on May 11, 2017.⁹

d. Pilot District Accountability Models: H.3969

Measuring the results of these initiatives is also a vital component. H.3969—a major and comprehensive revision to the state's Education Accountability Act—combines the state and federally mandated school report cards in order to eliminate confusion and duplication caused by the two, often conflicting, systems. For the first time in nearly five years, policymakers, parents, and the general public will be able to understand in a clear and concise manner how schools are performing. By the 2019-2020 school year, the reports will have to be issued by September 1 in order to give stakeholders earlier opportunities to begin improving school performance.

So that data may be used to improve outcomes from pre-kindergarten through college, the bill established a longitudinal data system. The Revenue and Fiscal Affairs Office, First Steps, SDE, the Commission on Higher Education, DSS, the Technical College System, the Department of Commerce, the Department of Employment and Workforce, and other state agencies and colleges must establish and maintain the system. If successful, our state will finally have data that connects efforts across the education spectrum.

The bill also requires SDE, with input from the Education Oversight Committee, to design and pilot district accountability models that focus on competency-based education for a district or school or on regional or county economic initiatives to improve postsecondary success of students. Finally, the bill recognizes the goals of the Profile of the South Carolina

⁹ A copy of Act No. 35 is attached hereto as **Exhibit F**.

Graduate when it states that “all students in the state graduating from public high schools in the state should have the knowledge, skills and opportunity to be college ready, career ready, and life ready for success in the global, digital, and knowledge-based world of the twenty-first century” The bill recites that “[a]ll graduates should have the opportunity to qualify for and be prepared to succeed in entry-level, credit-bearing college courses, without the need for remedial coursework, postsecondary job training, or significant on-the-job training.” Thus, H.3969 continues the requirement that all eleventh grade students must take a career readiness assessment. As for college readiness, all eleventh graders must be offered a college entrance assessment. Students may take, or retake, a college or career readiness assessment in the twelfth grade.

H.3969, Act No. 94, was ratified on June 6, 2017, and signed by the Governor on June 10, 2017.¹⁰

e. **The South Carolina Computer Science Education Initiative:
H.3427**

Schools must also retool as information technology continues to evolve exponentially. Sponsored by the Speaker and supported by House leadership, the purpose of H.3427 is “to expand access to computer science learning experiences to all students because computer science supports literacy, math, problem-solving, and technological skills, and advances productivity in every discipline, industry, and profession.” The bill would require the State Board of Education to adopt grade appropriate standards for computer science and computer coding for grades nine through twelve before August 1, 2018. The bill would further require, by the 2019-2020 school year, each public and charter high school to offer at least one computer science course that,

¹⁰ A copy of R. 130 is attached hereto as **Exhibit G**.

among other things, is rigorous and standards-based, and meets or exceeds the curriculum standards and requirements established by the State Board of Education.

H.3427 received third reading in the House in March of 2017 and currently resides in the Senate Education Committee.

f. Other initiatives

Other initiatives involving the Plaintiff Districts include the creation of the Education Reform Student Advisory Council (“ERSAC”). ERSAC is comprised of one student representative from each of the Plaintiff Districts. ERSAC members share thoughts and recommendations on how education opportunities can be improved in their districts, and discuss challenges faced by them, their fellow students, and teachers. To date, ERSAC has met twice, with the first meeting in Columbia and the second in Florence. Students are encouraged to provide thoughts and recommendations to the Chair of the Education and Public Works Committee on a regular basis.

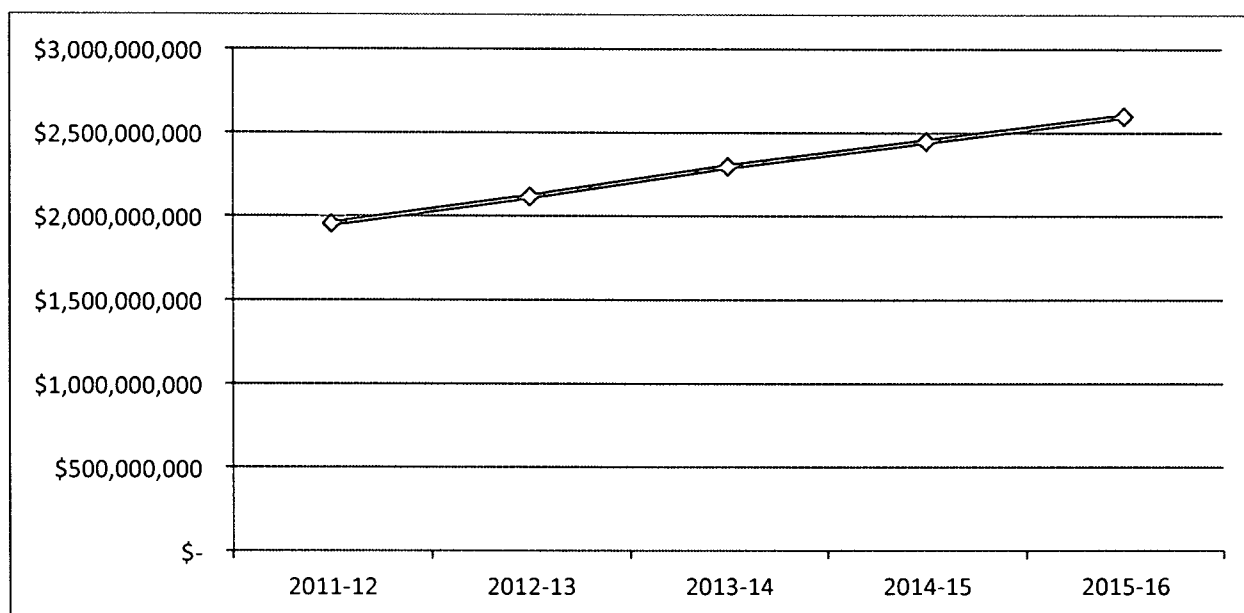
Finally, the Ad Hoc Committee on Competency Based Education and Education Reform was created at the beginning of the 2017 legislation. The committee is composed of seven members who will study the concept of competency-based education and ways to continue education reform.

B. The 2017 Budget

The South Carolina General Assembly continues to make education a top priority. On average, state appropriations to education have continued to increase over time.

1. Funding

In fiscal year 2011-2012, education received 36.59% of the general fund appropriations in South Carolina, representing \$1,995,287,399.¹¹ In fiscal year 2016-17, education received 39.12% of the general fund, representing \$2,965,125,177.¹² Notably, between fiscal years 2011 and 2017, the General Assembly allocated over \$1 billion dollars more to education. Education's percentage of total state appropriations, including Education Improvement Act ("EIA") appropriations, has also increased to 44%, which is up from 42.2% in 2012.¹³



2. Per-pupil spending

Total per pupil expenditures (state, local, and federal funds) have increased in each of the Plaintiff Districts, in some cases dramatically. As it has been since the time of trial, the vast

¹¹ S.C. Revenue & Fiscal Affairs Office: Historical Analysis, *available at* [www. http://rfa.sc.gov/files/Historical%20Analyses%20November%2030,%202016.pdf](http://rfa.sc.gov/files/Historical%20Analyses%20November%2030,%202016.pdf) (last visited May 24, 2017) at 35.

¹² *Id.* at 40.

¹³ *Id.* at 40, 81. In addition, the General Assembly continued with EFA poverty weighting.

majority of the Plaintiff Districts continues to receive more than the average state per pupil expenditure:

	FY 2010-2011 Per-Pupil Spending	FY 2016-2017 Per-Pupil Spending¹⁴	Percent Increase
Allendale	\$12,543	\$17,185	37%
Dillon 2 ¹⁵	\$8,532	\$9,059	6.2%
Florence 4	\$10,515	\$13,314	26%
Hampton 2	\$14,159	\$17,279	22%
Jasper County	\$10,351	\$16,045	55%
Lee County	\$9,657	\$13,132	35.9%
Marion 7 ¹⁶	\$13,273	\$10,172	23.4% (decrease)
Orangeburg 3 ¹⁷	\$10,750	\$16,031	49%

¹⁴ See Revenue Per Pupil Reported by School District for FY 2016-17, *available at* www.rfa.sc.gov/econ/educ/revperpupil (last visited May 22, 2017).

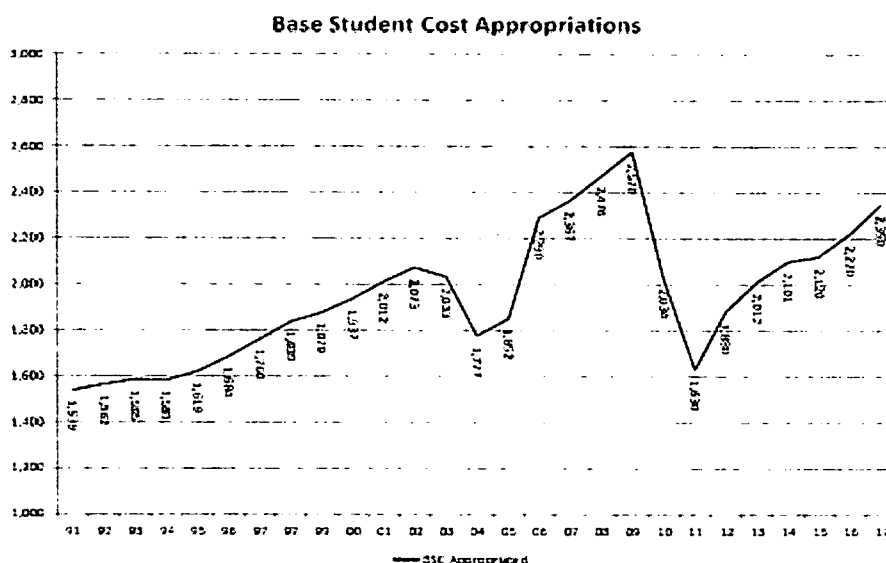
¹⁵ In 2012, Dillon School Districts 1 and 2 consolidated to become Dillon 4.

¹⁶ In 2014, the school districts in Marion County consolidated into one school district. Whereas there has been a 23.4% decrease in per pupil spending since FY 2010-2011, Marion County School District has existed as a consolidated school district for only two fiscal years. Additionally, the student population of Marion School District shows a steady decline from 4,928 students in 2012-13 to 4,661 (projected) in 2016-17. State per pupil funding is expected to increase from \$5,817 in 2012-13 to \$6,027 in 2016-17 (projected).

Average State Per Pupil Expenditures	\$9,008	\$13,116	
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3. Base student cost

The base student cost (“BSC”) is the basic component of funding under the Education Funding Act (“EFA”). As noted by this Court, “[e]ssentially, the BSC represents the annual cost, determined by the State, necessary to fund a single public school education.” *Abbeville II*, 410 S.C. at 635, 767 S.E.2d at 165. This year, the General Assembly allocated \$60 million to increase the BSC.¹⁸ The BSC, which is projected to be \$2,425 for the current fiscal year, has continued to increase over time.



¹⁷ To facilitate economic development and support a \$1 billion total capital investment in Orangeburg County, the House passed Senate bill 662 to consolidate three Orangeburg School Districts into one. Although the Governor paid homage to this effort, he nevertheless vetoed this important legislation on June 9, 2017. His veto is subject to being overridden when the General Assembly reconvenes.

¹⁸ See Proviso 1.3, attached hereto as **Exhibit H**.

For fiscal year 2017-2018, the total pupil count in South Carolina is projected to be 721,401. The average pupil funding is projected to be \$13,140 (excluding revenues of local bond issues). Of the \$13,140, \$6,120 comes from state funds (\$2,339 comes through the EFA), \$1,294 from federal funds, and \$5,726 from local funds.

4. The Child Development Education Pilot Program (“CDEPP”)

In response to the trial court’s finding that the state’s only deficiency in terms of complying with the constitutional standard announced in *Abbeville County School District v. State of South Carolina*, 335 S.C. 58, 515 S.E.2d 535 (1999) (“*Abbeville I*”), the General Assembly enacted the Child Development Education Pilot Program (“CDEPP”) as part of the 2006-2007 General Appropriations Act. (Part IB, Proviso 1.75, Act 397 of 2006 & Part IB, Proviso 1.66, Act 177 of 2007). In 2014, the General Assembly codified the program in Act 284 and renamed it the South Carolina Child Early Reading Development and Education Program (“CDEP”). *See* S.C. Code Ann. § 59-156-110 –to 59-156-240 (Supp. 2016). CDEP “must be made available to qualified children in all public school districts within the State[,]” not just the Plaintiff Districts. S.C. Code Ann. § 59-156-110. The program provides for full-day early childhood education for any child “who has attained the age of four years on or before September first of the school year and meets the at-risk criteria” S.C. Code Ann. § 59-156-130(A). Both public schools and private child care centers licensed by the Department of Social Services may participate in the program. S.C. Code Ann. § 59-156-130(B)(1). Proviso 1.66 of the 2015-16 General Appropriation Act maintained district eligibility for participation in CDEP

for districts with a poverty index of seventy percent or greater. In 2015-16, of the sixty-four districts eligible to participate, sixty-one districts participated in the program.¹⁹

Since 2008, CDEP has been funded on a recurring basis. Currently, the General Assembly allocates \$34 million in EIA funds and another \$13 million from the general fund to public schools for the program.²⁰ The General Assembly allocates \$9.7 million in EIA funds and another \$6.4 million from the general fund to private providers.²¹ Proviso 1.58 of the 2016-2017 General Appropriations Act provides that both public and private providers “shall be funded for the instructional costs at a rate of \$4,422 per student enrolled.” Pursuant to S.C. Code Ann. § 59-156-190, “[b]oth public and private providers are eligible for transportation funds for the transportation of children to and from school.” Pursuant to Proviso 1.58, private providers that transport eligible children to and from school are eligible for a reimbursement of \$563.00 per eligible child.²²

5. Capital improvement

Under the Abbeville Equity Districts Capital Improvement Plan, the General Assembly allocated \$55.8 million for capital improvements, which shall be allocated by SDE for school facility upgrades to any Plaintiff District, or any district in the state with a poverty index of eighty percent or higher. Under this plan, a school district seeking a facility upgrade must apply to the Department of Education and request funding for qualified projects. Twice a year, the

¹⁹ See FY 2015-16 & 2016-17 State-Funded Full-Day 4K, *available at* <http://www.eoc.sc.gov/Reports%20%20Publications/CDEPP%202017/State-Funded%20Full-Day%204K%20Evaluation%20-%20Final%201.17.17.pdf> (last visited May 24, 2017) at p. 3.

²⁰ See H.3720, 2017-2018 Appropriations Bill, a portion of which is attached hereto as **Exhibit I**, at pp. 4, 6, 10.

²¹ *Id.* at 4, 10.

²² A copy of Proviso 1.58 is attached hereto as **Exhibit J**.

Department must review and prioritize projects with the greatest need and submit a list of grants awarded to the State Board of Education. Eligible school facility projects include health and safety upgrades, technology upgrades inside school facilities, upgrades associated with career education programs, and deferred maintenance needs. District administration facilities and facilities identified with interscholastic sports activities are not eligible for funding.²³

6. Charter schools

For fiscal year 2017-2018, the General Assembly allocated \$19 million to charter school student growth. Under Proviso 1A.52, students enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,900 per weighted pupil, and students enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,600 per weighted pupil.²⁴

7. School buses

In *Abbeville II*, the Court's majority found that shifting some of the costs of student transportation from the state to the Plaintiff Districts "surely contributes to a constitutional violation." *Abbeville II*, 410 S.C. at 644, 767 S.E.2d at 170. Proviso 3.4 specifically addresses that concern by appropriating \$2 million recurring, \$3 million non-recurring, and \$24 million from the Education Lottery Account for the purchase of new school buses.²⁵ Though vetoed by the Governor, the veto is subject to being overridden when the General Assembly reconvenes.

8. Technical assistance

²³ See Proviso 1A.82, a copy of which is attached hereto as **Exhibit K**.

²⁴ A copy of Proviso 1A.52 is attached hereto as **Exhibit L**.

²⁵ A copy of Proviso 3.4 is attached hereto as **Exhibit M**.

In past years, \$29 million in non-recurring lottery funds was used for technical assistance. Beginning in fiscal year 2017, EIA money will be appropriated to fund technical assistance to school districts in the state.

Pursuant to Proviso 1A.84²⁶, technical assistance will be distributed on a per pupil basis to the public and special schools of the state as well as the South Carolina Public Charter School District based on the previous year's 135 day average daily membership ("ADM") as follows: (1) for school districts with a poverty index of less than 75: \$35 per ADM; (2) for school districts with a poverty index of at least 75 but no more than 85: \$50 per ADM; (3) for school districts with a poverty index of more than 85 or for special schools with no defined poverty index: \$70 per ADM.

Conclusion

This Second Report to the Court highlights the ongoing efforts by the House in its 2017 legislative session to comply with the Court's directive in *Abbeville II*.

Albert Einstein is quoted as observing, "Education is not received, it is achieved." The Court echoed this sentiment in *Abbeville II* by correctly asserting that the ultimate responsibility of the South Carolina General Assembly was to provide the tools for local school districts to help students achieve in the classroom. The South Carolina House has taken tremendous steps to provide those tools not only to the Plaintiff Districts, but all schools throughout the state. The House has demonstrated a continuing commitment to the enhancement of this state's public education system.

However, as this Court stated, the burden does not solely fall on the General Assembly. While this Report clearly demonstrates the House's commitment, the Plaintiff Districts are still

²⁶ A copy of Proviso 1A.84 is attached hereto as **Exhibit N**.

failing to abide by the directives set out by the Court's majority in *Abbeville II*. It would be inappropriate for the Court to continue to exercise jurisdiction over the South Carolina House based on the failure of other parties to comply with the Court's order.

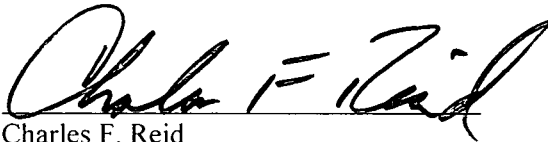
To date, the House has led the way for vast systemic policy and fiscal improvements for South Carolina public schools. The continuing and permanent nature of the actions taken by the House demonstrate that these efforts are more than an attempt to comply with a court order, but are, instead, a mindset. Vacating jurisdiction or releasing the House as a party will allow the House to resume its constitutional role and end the entanglement between the judicial and legislative branches as it relates to education policy in this state.

[Signature page follows]

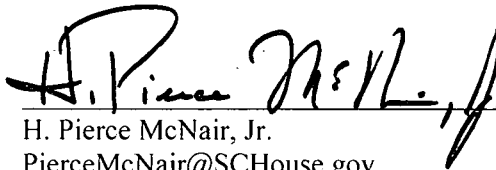
By:



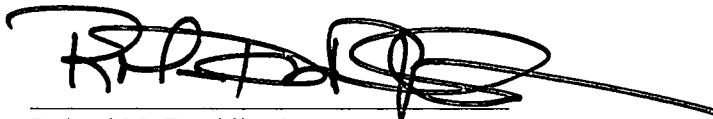
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(803) 734-3233
Counsel for Speaker James H. Lucas

Columbia, South Carolina
June 22, 2017

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM LEE COUNTY
Court of Common Pleas

Thomas W. Cooper, Jr., Circuit Court Judge

Appellate Case No. 2007-065159

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 of the House of Representatives and
as a representative of The South Carolina House
of Representatives,
are

Respondents-Appellants,

and

The State of South Carolina, Henry D. McMaster,
as Governor of the State of South Carolina,
are

Respondents.

Proof of Service

I certify that I have served Respondent-Appellant James H. Lucas' Petition to Vacate Continuing Jurisdiction or, in the Alternative, Dismiss the South Carolina House of Representatives as a Respondent, and Report of James H. Lucas, as Speaker and Representative of the South Carolina House of Representatives, in Compliance With the Court's September 20,

2016 Order on the following by email and placing a copy in the U.S. Mail, postage prepaid, to all counsel and parties of record on June 22, 2017, at the addresses shown below:

Richele K. Taylor, Esquire
South Carolina Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201
RicheleTaylor@gov.sc.gov

J. Emory Smith, Jr., Esquire
S.C. Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211
esmith@scag.gov

Carl B. Epps, III, Esquire
Nelson Mullins Riley & Scarborough, LLP
Post Office Box 11070
Columbia, South Carolina 29211
carl.epps@nelsonmullins.com

Kenneth M. Moffitt, Esquire
South Carolina Senate
Post Office Box 142
Columbia, South Carolina 29211
kenmoffitt@scsenat.gove

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Charleston, South Carolina 29402
scott.moise@nelsonmullins.com

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South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211-1549
agwilson@scag.gov



Patrick G. Dennis

Columbia, South Carolina
June 22, 2017

EXHIBIT A

ERSAC

2016

EDUCATION
REFORM
STUDENT
ADVISORY
COUNCIL

February 2016

Chairwoman Allison's Visit to Plaintiff School Districts

February 22

- 8:30-9:30 Lake Marion High School
3656 Tee Vee Road
Santee, SC 29142
- 10:30-11:30 Denmark-Olar High School
197 Viking Circle
Denmark, SC 29042
- 1:00-2:00 Allendale Fairfax High School
3581 Allendale-Fairfax Highway
Fairfax, SC 29827
- 2:00-3:00 Estill Middle/High School
1450 Columbia Highway
Estill, SC 29918

February 29

- 8:30-9:30 TBD
Manning, South Carolina
- 10:30-11:30 Kenneth Gardener Elementary School
1503 County Road S-45-185
Kingstree, SC 29556
- 1:00-2:00 Florence 4 District Office
Kemper Street
Timmonsville, SC 29161
- 2:00-3:00 TBD
Bishopville, SC

February 2016

Itinerary for February 22 School Visits

Time	District	School	Superintendent	Principal	Student
8:30	Clarendon 2 (Manning)	Manning High School	Mr. John Tindal	Mrs. Neshunda Walters	Quadri Bell
10:30	Williamsburg (Kingstree)	Kingstree High School	Ms. Carrie Brock	Mr. Alex Gordon	Alicia Witherspoon
1:00	Florence 4 (Timmons ville)	Timmons ville High School	Dr. Andre Boyd	Mr. Langston Brown	Shiana Bailey
2:45	Lee (Bishopville)	Lee Central High School	Dr. Wanda Andrews	Mr. Robert Hemby	J'Naire Haughton

February 2016

Itinerary for February 29 School Visits

Time	District	School	Superintendent	Principal	Student
8:30	Clarendon 2 (Manning)	Manning High School	Mr. John Tindal	Mrs. Neshunda Walters	Quadri Bell
10:30	Williamsburg (Kingtree)	Kingtree High School	Ms. Carrie Brock	Mr. Alex Gordon	Alicia Witherspoon
1:00	Florence 4 (Timmons ville)	Timmons ville High School	Dr. Andre Boyd	Mr. Langston Brown	Shiana Bailey
2:45	Lee (Bishopville)	District Office and Two Elementary Schools (310 Roland Street)	Dr. Wanda Andrews	Mr. Robert Hemby	J'Naire Haughton

2016 Districts invited to participate in meetings:

Abbeville: "Jonathan Phipps (SI): 864-366-5427; jphipps@acsdsc.org;
Assistant: Rmims@acsdsc.org"

Allendale Leila Williams: 803-584-4603; WilliamsL@acs.k12.sc.us
Allendale-Fairfax High School - come to office
3581 Allendale-Fairfax Hwy, Fairfax, SC 29827

Bamberg 1: Phyllis Schwarting (SI): 803-245-3053;
pschwarting@bamberg1.net; Jannette Stokes:
jstokes@bamberg1.net

Bamberg 2 Mickey Pringle: 803-793-3307; mpringle@bamberg2.org
Denmark- Olar High School
197 Viking Circle Denmark, SC 29042

Barnwell 19: Teresa Pope: 803-284-5605; Teresa.Pope@barnwell19.net

Barnwell 29: Dr. Missoura G. Ashe (SI): 803-266-7878;
mashe@williston.k12.sc.us
Williston High School

Barnwell 45 Rachel Wall (Dir. Of Curr.): 803-541-1300;
Rwall@barnwell45.k12.sc.us
Barnwell High School

Berkeley: Archie Franchini (Department SI):
FranchiniA@bcstdschools.net; Kim Glaze:
Glazek@bcstdschools.net, 843-899-8600; email from Jerome
Davis davisjer@bcstdschools.net (Executive Director of
Secondary Education at Timberlake High School)

Chesterfield: Wendy Folsom (Exec. Dir. Of Curriculum & Instruction): 843-
623-2175; Wfolsom@chesterfieldschools.org
Central High School

Clarendon 1: Rose Wilder (SI): 803-485-2325; Rwilder@clar1.k12.sc.us
Dr. Wilder is the Student Guidance Councilor

Clarendon 2 John Tindal (SI): Jtindal@csd2.org
Manning High School,
2155 Paxville Hwy, Manning, SC 29102

Clarendon 3: Connie Dennis (SI): 843-659-2188; cdennis@clarendon3.org
EMC High School

Dillon 3: John M. Kirby (SI)**: 843-752-7101;
john@mail.dillon3.k12.sc.us

Dillon 4: Douglas R. Rogers (SI): 843-774-1200;
rogersr@dillon.k12.sc.us

Florence 1: Dr. Randy Bridges (SI): 843-669-4141,
randy.bridges@fsd1.org; Kim Hoffman:
Khoffman@fsd1.org; Dr. Kelvin Wymbs (contact person):
843-673-1145, kelvin.wymbs@fsd1.org
South Florence High School

Florence 2: Neal Vincent (SI): 843-493-2502; nvincent@flo2.k12.sc.us;
Sterling Mosby: 843-493-5781; smosby@flo2.k12.sc.us

Florence 3: Laura Hickson (SI): 843-374-8652; lhickson@fsd3.org
Lake City High School

Florence 4: Zona Jefferson (SI); Annie Murray (Exec Asst to SI):
amurray@florence4.k12.sc.us; Florence 4 District Office, 304
Kemper St, Timmons ville, SC 29161
Timmons ville High School

Florence 5 Robert R. Smiley (SI): 843-386-2358; Rsmiley@flo5.k12.sc.us;
Tina Williams: Twilliams@flo5.k12.sc.us
Johnsonville High School

Hampton 1: Bonnie Wilson (Principal): 803-943-3568;
bwilson@hampton1.k12.sc.us
Wade Hampton

Hampton 2 Martin Wright (SI): wrigmar@hampton12.k12.sc.us; Tiphani Lee-Gardner: 803-625-5000 Ext. 5002; GardTip@hampton2.k12.sc.us
Estill Middle/ High School
1450 Columbia Hwy, Estill, SC 29918

Jasper: Donald Andrews (SI): Donald.andrews@jcsd.net; La'Shanda Grant: 843-489-8892 lashanda.grant@jcsd.net
Ridgeland- Hardeeville High School

Laurens 55: Dr. Stephen Peters (SI): sgpeters@laurens55.org; Lisa Wilson (Exec Secretary to SI): lwilson@laurens55.org; Sonya Bryant (Principal): sbryant@laurens55.org; Jan Coleman (asst. to Principal): 864-682-3151, jcoleman@laurens55.org

Laurens 56: Dr. David O'Shields (SI): 864-833-0800, david.oshields@laurens56.k12.sc.us; Rosanne Braswell (Exec Asst to SI): rosannebraswell@lcsd56.org

Lee Dr. Wanda Andrews (SI): 803-484-5327, andrewsw@lee.k12.sc.us; Adell Blakeney (Exec Secretary to SI): blakneya@lee.k12.sc.us
District Office 310 Roland Street
Lee Central High School

Lexington 4: Dr. Linda Lavender (SI): 803-490-7000; llavender@lexington4.net
Swansea High School

Marion 10: Kandace Bethea (Interim SI): kbethea@marion.k12.sc.us; Melanie Gordon (Exec Asst): 843-423-1811; Deciera Gause: dgause@marionk12.sc.us

Marlboro Lynn Tweed (assistant to SI): ltweed@marlboro.k12.sc.us**
Main contact 843-479-4016
Dr. Helena Tillar: htillar@marlboro.k12.sc.us
Marlboro County High School

McCormick Don Doggett (SI): ddoggett@mccormick.k12.sc.us; 864-852-2435 ext 0632; Toni Aye (Exec Asst to SI)

McCormick High School

- Orangeburg 3 Dr. Marty Conner (Assoc. Superintendent):
connerm@obg3.k12.sc.us
Lake Marion High School
3656 Tee Vee Road, Santee, SC 29142
- Orangeburg 5 Dr. Jesse Washington, III (SI): 803-533-7930;
jesse.washington@ocsd5.net; Maretta Linder (Exec Secretary):
Maretta.linder@ocsd5.net; Bill Clark (PR Director):
bill.clark@ocsd5.net; Ms. Lakekia Lewis, (Principal at Bethune
Bowman Elem. - her son might have come last time, not sure)
- Saluda Dr. David Mathis (SI): 864-445-8441,
dmathis@saludaschools.org; Sandra Black (Exec Secretary)
Saluda High School
- Williamsburg Carrie C. Brock (Interim SI): 843-355-5571;
cbrock@wcsd.k12.sc.us
Kingstree High School

Chairwoman's Education Reform Student Advisory Council

Overview and Purpose

In order to gain a more complete perspective of the Plaintiff districts, and continue with the efforts of the Education Policy Review and Reform Task Force, the Chair of the Education and Public Works Committee, in collaboration with the Speaker of the House, established the Chairwoman's Education Reform Student Advisory Council (ERSAC).

The Council is comprised of one student representative from each of the Plaintiff districts. Selection of the representative is left to the respective school district superintendent, and, so far, appointments come exclusively from the high school grades; however, the Chairwoman desires that the Council be diverse in terms of age (to the extent possible), race, gender, and class ranking.

The council meets on a quarterly basis. Attendees share their thoughts on how educational opportunities can be improved in their districts and discuss challenges that they, their fellow students, and teachers face. Additionally, students are encouraged to continuously provide information to the Chair on a regular basis.

**Education Reform Student Advisory Council
112 Blatt Building
Columbia, South Carolina**

March 17, 2016

A G E N D A

- I. Opening and Welcome
- II. Introduction of Council members
- III. Overview of the Council's mission
- IV. Discussion of Education Issues
 - A. Opportunity to Learn
 - B. Technology Concerns
 - C. Interest in Teaching
 - D. Transportation and Facilities Concerns
 - E. Goal for Education
- V. Conclusion

Educational Reform Student Advisory Committee

AGENDA

MARCH 17, 2016

9:45 a.m. to 10:00 a.m.

Students and their chaperones can meet in the upper lobby (2nd floor) of the State House. A House Education Staff member will greet you and guide you to the gallery in order to observe the session proceedings of the SC House of Representatives.

12:00

A tour is available for the students and their chaperones at noon, please proceed a few minutes prior to the Lower Lobby (1st floor) of the State House and gather outside the tour office.

1:30 p.m.

Lunch will be provided by Chairwomen Rita Allison for the students and their chaperones in room 112, Solomon Blatt Building, 1105 Pendleton Street. The entrance is on the interior courtyard side. A House Education staff member will guide you after the tour to the building. This is also the location of the following meeting.

2:00 p.m. to 4:00 p.m.

The Education Reform Student Advisory Committee Meeting is in room 112, Solomon Blatt Building with Chairwomen Rita Allison of the South Carolina House Education and Public Works Committee.

Any questions please call 803-724-3053, House Education Committee. Parking is available with meters on the street, the AT&T Building garage with entrance between Main Street & assembly, or to get a map of other facilities the following website, www.columbiasc.net/parking/facilites/downtown-parking-map

2016 March Superintendent sample letter sent

Dear Superintendent _____:

I need your assistance in helping me to hear the voices of South Carolina's students. In my position as Chair of both the House Education and Public Works Committee and the Education Policy Review and Reform Task Force, my colleagues and I have heard from educators, administrators, board members, and others involved in education regarding efforts to improve education in South Carolina. It occurred to me, though, that a key voice is missing from the conversation, and it is now time to hear from our students.

To assist the General Assembly with the vital mission of enhancing education for all South Carolina students, I am establishing the Education Reform Student Advisory Council (ERSAC). I would be most appreciative if you could appoint one high school student from your district who would be willing to meet with other students and me on a quarterly basis in Columbia. I anticipate the initial meeting of the council would be held in March.

The most important criteria for a student representative to ERSAC is the desire and ability to communicate openly and honestly about their education and how we can improve their scholastic experience. Once a student is selected, please notify Pierce McNair at piercemcnair@schouse.gov or 803-834-3053.

Our first meeting will be conversational in nature. We will talk about the opportunities afforded them, to include, but not limited to, STEM opportunities, foreign languages, arts, and dual enrollment and AP courses. Discussions will also involve extracurricular activities, and college and career readiness. I want to understand how they feel about the education they are receiving, and what they recommend being done improve it.

I sincerely thank you for your assistance with this effort, and please know that you have my deepest appreciation for all that you do every day to benefit the children of South Carolina.

Because I care,

Rita Allison

2016 Sample of Representative Letter of Invitation

Dear Representative _____:

It has truly been an honor for me to serve as Chair of both the House Education and Public Works Committee and the Education Policy Review and Reform Task Force. Through various meetings and hearings, we have heard from educators, administrators, board members, and others regarding efforts to improve education in South Carolina. It occurred to me, though, that a key voice is missing from the conversation, and it is now time to hear from our students

To assist us with the vital mission of enhancing education for all of South Carolina's students, I am establishing the Education Reform Student Advisory Council (ERSAC). I am requesting that the Superintendents from each of the Plaintiff districts in the *Abbeville* lawsuit appoint a student from their district who is willing to meet with other students and me on a quarterly basis in Columbia.

I anticipate the initial meeting of the council will be in February. As a member of the House of Representatives, you are certainly invited to attend the meetings to hear what is being discussed. We will be providing details in the coming weeks.

The first meeting will be conversational in nature. We will talk about the opportunities afforded to the students, to include, but not limited to, STEM opportunities, foreign languages, arts, and dual enrollment and AP courses. Discussions will also involve extracurricular activities, and college and career readiness. I want to understand how students feel about the education they are receiving, and what they would do to improve it.

Before the ERSAC begins its work, I am also hoping to visit with the Superintendent and student representative in eight of the Plaintiff districts. I have requested a brief thirty minute tour of one school per district, and hope to have a schedule completed soon. I would be honored if you could join me for the tour. Please note that transportation and any other expenses will not be reimbursed, but I believe that the experience would be well worth it.

Once we have confirmation from the Superintendent, we will provide dates and a list of schools. If you are interested in attending, please notify Pierce McNair at piercemcnair@schouse.gov or 803-834-3053.

While this is an ambitious effort, I truly believe it will provide strong dividends. I hope that you will be able to participate as often as your schedule allows. Please do not hesitate to contact me if you have any questions.

Because I care,

2016 Student Advisory Committee Member Letter

Raye Felder
First Vice Chairman

Merita A. "Rita" Allison
Chairwoman

Robert L. Brown
Second Vice Chairman

Education and Public Works Committee

H. Pierce McNair, Jr.
Director of Research

Richard P. Fulmer
Staff Attorney



Jeffrey A. Bradley
Gary E. Clary
Neal A. Collins
Joseph S. Daning
J. Wayne George
Jerry N. Govan, Jr.
Jeffrey E. Johnson
John Richard C. King

Harold Mitchell, Jr.
Joshua A. Putnam
Samuel Rivers, Jr.
Tommy M. Stringer
Bill Taylor
Don L. Wells
Mark N. Willis

Ginger Lee
Executive Assistant

South Carolina House of Representatives
P.O. Box 11867
Telephone: (803) 734-3053 • Fax: (803) 734-2827
Columbia, S.C. 29211
Room 429, Blatt Building

Lillian E. Hayes
Research Analyst

February 25, 2016

Dear Education Reform Student Advisory Committee Member,

Congratulations on your appointment to the Education Reform Student Advisory Council! By being selected, you have been entrusted you to share your thoughts, concerns, hopes, and aspirations when it comes to education in your district and South Carolina. The first meeting of the Council will be held Thursday, March 17 at the Blatt Building in Columbia (corner of Pendleton and Assembly Streets). Our meeting will begin at 2:00 p.m., in room 112. A box lunch will be provided for you and one guest beginning at 1:30, also in room 112.

In addition to attending the meeting, you are more than welcome to observe the House and Senate sessions. The House begins at 10:00 a.m., and the Senate starts at noon. Also, you may be interested in taking a guided tour of the State House. If you can join us for lunch, are interested in attending the session, or would like to take a tour, please let Pierce McNair know no later than March 10.

Parking is available at meters on both Assembly and South Main Streets. Also, there is a parking garage behind the BB&T building. The garage entrance is on Lady Street, between Main and Assembly Streets. Please be sure to be in room 112 of the Blatt Building no later than 2:00 p.m. An agenda of the meeting is attached. We will be done no later than 4:00 so that you can avoid the afternoon traffic. If you have any questions between now and the 17th, please contact Pierce McNair either by phone (803) 734-3053, or by e-mail (piercemcnair@schouse.gov).

I look very forward to seeing you soon. Speaker Jay Lucas, my House colleagues, and I are committed to improving education for all South Carolina students. Your input will be vitally important to us as we continue our efforts. Best of luck with your classes!

Sincerely,

A handwritten signature in cursive script that reads "Rita Allison".

Rita Allison

Chair, House Education and Public Works Committee

2016 March ERSAC Meeting Student Representatives List

School District	Student Representative	Chaperone
Abbeville	tbd	tbd
Allendale	Jerome Polite	LaTasha Polite (mother)
Bamberg 1-	tbd	tbd
Bamberg 2	ZaTaveya Williams	Michael Moody
Barnwell 19	tbd	tbd
Barnwell 29	Brooke Zeigler	will have one, not named
Barnwell 45	Kiah Morris	her mother
Berkeley	Patience Eargle	Taylor Bauer
Chesterfield	Kameri Rivers	Megan Williams (guidance counselor)
Clarendon 1	Robert Matterson	guidance counselor
Clarendon 2	Quadri Bell	Stacy Bell (mother)
		Mother, if not then someone from school
Clarendon 3	Flury Wilson	N/A
Dillon 3	not coming	N/A
Dillon 4	Harley Mincey	will have one, not named
Florence 1	Tyler Benton	his mother
Florence 2	Zateashma Blue	Pamela Peterson
Florence 3	Amber Keefe	Lynn Keefe (mother)
Florence 4	Shiana Bailey	Dr. Michelle Heyward
Florence 5	Gracelynn Squires	Mirandi Squires (mother)
Hampton 1	Patrick Ellis	tbd
Hampton 2	William Mitchell	Lashonda Mitchell (mother)
Jasper	Tonatzl Noriego	La Shanda Grant
Laurens 55	Jaida Anne Wydette Barker	Erin Little
Laurens 56	tbd	tbd
Lee	J Naire Alexandria Haughton	tbd
Lexington 4	Yunem Pena	Maira Porter
Marion 10	Marcellino Rivera	will have one, not named
Marlboro	Kaycia Best	will have one, not named
McCormick	DeMarcus Moore	his mother
Orangeburg 3	Allen Taste	tbd
Orangeburg 5	Jake Bookard	Lakekia Lewis (principal)
Saluda	Mary Grace Lake	mother
Williamsburg	Alicia Witherspoon	Bonnie King (pr. director)

**Education Reform Student Advisory Council
112 Blatt Building
Columbia, South Carolina**

**September 16, 2016
Performing Arts Center
Francis Marion University
Florence, South Carolina
Noon-3:30 p.m.**

A G E N D A

- I. Opening and Welcome--Representative Allison
- II. Greetings from Dr. Shirley Bausmith, Dean of the College of Education, FMU
- III. Review of Last Meeting
- IV. Discussion of Education Issues
 - A. Technology
 - B. First Year Teachers
 - C. Enticement to Teach in Rural Districts
 - D. Computer Coding
 - E. Dual Enrollment and Advanced Placement
 - F. Transportation
 - G. Assessments--ACT and WorkKeys
- V. Conclusion



Merita A. "Rita" Allison
Chairwoman

Education and Public Works Committee

South Carolina House of Representatives

P.O. Box 11867

Telephone: (803) 734-3053 • Fax: (803) 734-2827

Columbia, S.C. 29211

Room 429, Blatt Building

August 10, 2016

Dear Superintendent _____:

I hope that your summer has been going well, and that you have been able to both relax and recharge. With August now upon us, I, like you, look forward to the excitement and promise of a new school year. Our initial Educational Reform Student Advisory Council (ERSAC) meeting held earlier this year was a tremendous success, and we hope to continue the momentum in September.

I am hoping that a student representative from your district will join me in the second meeting of the ERSAC. The meeting will begin at noon, on Friday, September 16, at Francis Marion University's Performing Arts Center in downtown Florence. Lunch will be provided, and we anticipate the meeting ending at 3:30 p.m. An agenda and general directions are attached.

Once a student is selected, please provide us with the contact information by notifying Pierce McNair at piercemcnair@schouse.gov or Ginger Lee at gingerlee@scshouse.gov or by calling our office at 803-734-3053. If a parent or other chaperone will accompany the student, please let us know that as well.

You are certainly welcome to appoint the same student to the Council, or designate a new representative. At the first meeting, students were either high school juniors or seniors. As before, the most important criteria for a student representative to ERSAC is the desire and ability to communicate openly and honestly about their education, and how we can improve their scholastic experience.

Finally, if your student representative is interested in arriving early, the new Florence County Museum is located across the street from the Performing Arts Center. The museum opens at 10:00 a.m., and admission is free. You can learn more at the museum's website: <http://www.flocomuseum.org/about/>.

In the meantime, please do not hesitate to contact our office if you have any questions. Thank you for your assistance with this endeavor. I would like to express my deepest appreciation for the work that you perform every day to benefit the children of South Carolina.

Because I care,

A handwritten signature in cursive script that reads 'Rita Allison'.

Rita Allison



Merita A. "Rita" Allison
Chairwoman

Education and Public Works Committee

South Carolina House of Representatives

P.O. Box 11867

Telephone: (803) 734-3053 • Fax: (803) 734-2827

Columbia, S.C. 29211

Room 429, Blatt Building

August 10, 2016

Dr. Shawn Johnson:

I hope that your summer has been going well, and that you have been able to both relax and recharge. With August now upon us, I, like you, look forward to the excitement and promise of a new school year. Our initial Educational Reform Student Advisory Council (ERSAC) meeting held earlier this year was a tremendous success, and we hope to continue the momentum in September.

I am hoping that a student representative from your district will join me in attending the second meeting of ERSAC. The meeting will begin with lunch at noon, on Friday, September 16, at Francis Marion University's Performing Arts Center in downtown Florence. Lunch will be provided by Francis Marion University, and we anticipate the meeting ending at 3:30 p.m. Directions are attached to the Performing Arts Center.

Once a student is selected, please provide us with the contact information by notifying Pierce McNair at piercemcnair@schouse.gov or Ginger Lee at gingerlee@scshouse.gov or by calling our office at 803-734-3053. If a parent or other chaperone will accompany the student, please let us know that as well.

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In the meantime, please do not hesitate to contact our office if you have any questions. Thank you for your assistance with this endeavor. I would like to express my deepest appreciation for the work that you perform every day to benefit the children of South Carolina.

Because I care,

A handwritten signature in cursive script that reads "Rita Allison".

Rita Allison

August 10, 2016

The Honorable Roger K. Kirby
1690 Johnsonville Highway
Lake City, SC 29650

Dear Representative Kirby:

I hope that your interim has been going well, and that you have been able to both relax and recharge. With August now upon us, I, like you, look forward to the excitement and promise of a new school year.

It is my sincere hope that you will be able to join me for a very important event to be held in Florence, South Carolina. Last March, with the assistance of Speaker Lucas, I convened the first meeting of the Education Reform Student Advisory Council (ERSAC). The ERSAC is comprised of one student representative from each district in the *Abbeville* lawsuit, and provides me with the opportunity to continue the work of the Education Policy Review and Reform Task Force.

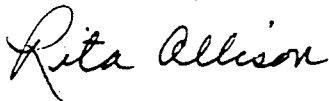
The second meeting of the Council will begin with lunch at noon on Friday, September 16 and will be held in Francis Marion University's Performing Arts Center in downtown Florence. Lunch will be provided by Francis Marion University and we anticipate the meeting ending at 3:30 p.m.

Because you represent this area, we would be honored if you could share your thoughts with the students and listen to the discussion surrounding several education topics.

If you are able to attend, please notify Pierce McNair at piercemcnair@schouse.gov or 803-834-3053 or Ginger Lee at gingerlee@scshouse.gov.

I sincerely thank you for your assistance with this effort, and please know that you have my deepest appreciation for all that you do every day to benefit the children of South Carolina.

Because I care,

A handwritten signature in cursive script that reads "Rita Allison".

Rita Allison
Chairman of Education and Public Works Committee

Educational Reform Student Advisory Council (ERSAC)

September 16, 2016

Students That Attended:

School	Student Representative
Abbeville	NA
Allendale	Jerome Polite
Bamberg 1	NA
Bamberg 2	ZaTaveya Williams
Barnwell 19	NA
Barnwell 29	Brooke Veigler
Barnwell 45	Dorion Carter
Berkeley	Jaydon Skinner
Chesterfield	Eddie Ramzie McKenzie
Clarendon 1	NA
Clarendon 2	Quadri Bell
Clarendon 3	Tyler Baker
Dillon 3	NA
Dillon 4	Marnija Lewis
Florence 1	Elizabeth Singleton
Florence 2	Zateashma Blue
Florence 3	Amber Keefe
Florence 4	Titus Echols
Florence 5	Claire Stuckey
Hampton 1	NA
Hampton 2	NA
Jasper	Tonatz Noriego
Laurens 55	"Jami" Reese Darling
Laurens 56	NA
Lee	Kennedy Corley

Lexington 4	Leah Knight
Marion 10	NA
Marlboro	NA
McCormick	Leah Anthony
Orangeburg 3	NA
Orangeburg 5	Erikqua Dash
Saluda	Mary Grace Lake
Williamsburg	Kerry Singleton, Jr.

DEPARTMENTS

ABOUT

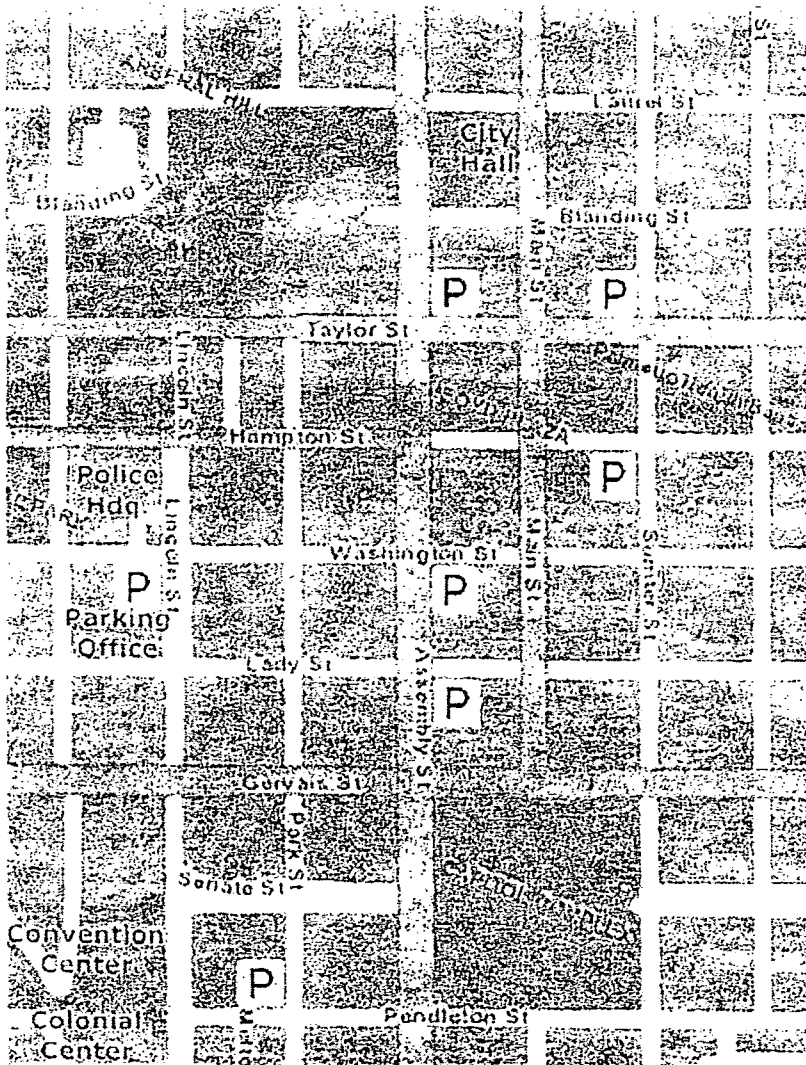
CITY
COUNCIL

CITY
SERVICES

BUSINESS

CONTACT

Downtown Parking Map



P = City Parking Garage with
electric car charging stations.

Parking Services

Parking Services

EXHIBIT B

1.92. (SDE: Facilities Tracking System and Assessment Assistance) Of the funds appropriated to the department for Facilities Assessments and Efficiency Studies, the department is directed to issue a RFP to contract with one or more vendors to complete the reviews. The Facilities Assessments shall include, at a minimum: (1) facilities use and management; (2) energy management; (3) site review when needed; and (4) any technology needs and infrastructure as aligned to the district technology plan and the district technology assessment. The Efficiency Studies shall include, at a minimum: (1) overhead; (2) human resources; (3) procurement; (4) financial management; and (5) transportation and must be aligned to any diagnostic review that may be conducted in the district to avoid duplication. The Assessments and Studies shall be first conducted in school districts which are or were the Abbeville Plaintiff District and prioritized according to the prior year poverty index and for districts that have not had an efficiency study or facility assessment completed in the last two years. The completed Assessments and Studies shall be provided to each local school board of trustees and shall inform funding decisions for facilities and potential school or district consolidation. The department shall make the Assessments and the Studies available on the department website.

EXHIBIT C

FOR IMMEDIATE RELEASE

Contact: Daniel Boan

June 16, 2017
(803)734-3144

danielboan@schouse.gov

Ways and Means Chairman to Study Education Funding Reform *White appoints special committee to address issue*

(Columbia, SC) – S.C. House Ways and Means Chairman Brian White (District 6-Anderson) has appointed a special ad hoc committee of the Ways and Means Committee to study state education funding.

The committee will be chaired by Representative William R. "Bill" Whitmire of Oconee and the other members are William "Bill" Clyburn (Aiken), Chip Huggins (Lexington), Michael A. "Mike" Anthony (Union), Jackie E. "Coach" Hayes (Dillon), Shannon S. Erickson (Beaufort), and F. Michael "Mike" Sottile (Charleston).

"The state will provide \$4.4 billion for K-12 education next year. Over a third of the state's general fund budget goes to public education. For nearly forty years, the General Assembly has taken a piecemeal approach to education policy and funding. We have added layers of burdensome requirements on school districts and teachers and we are now stuck with funding formulas that are overcomplicated and outdated. We need to simplify education funding and allow school districts the flexibility to decide how best to get the most out of state resources," stated Chairman White.

EXHIBIT D

1A.12. (SDE-EIA: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance must be used to provide intensive support to schools and districts with an absolute rating of below average or at-risk on the most recent annual school report card or with the lowest percentages of students meeting state standards on state assessments on the most recent state assessments or with the lowest high school graduation rates. The department will create a system of tiers of technical assistance for low-performing schools and districts that will receive technical assistance. The tiers will be determined by factors that include, but are not limited to, length of time performance of the school or district has been at-risk/below average, annual achievement ratings, annual growth ratings, school or district accreditation, and/or financial risk status. The tiers of technical assistance may include a per student allocation, placement of a principal mentor, transformation coach, instructional leader, replacement of the principal, reconstitution of a school, and declaration of a state of emergency. Low-performing schools and districts shall be placed within the tiered technical assistance framework not later than December fifteenth.

Low-performing schools shall receive a diagnostic review through the department. In addition, newly identified low-performing schools and districts must be reviewed by an External Review Team in the year of designation, and every third year thereafter. These reports shall be made available on the Department of Education's website; any information pertaining to personnel matters or containing personally identifiable information shall be exempted. Based upon the recommendations in the review(s), low-performing schools and districts must develop and submit to the Department of Education an updated school renewal or district strategic plan outlining goals for improvements. The amended plans must address specific strategies designed to increase student achievement and must include measures to evaluate the success of implementation of the plan.

With the funds appropriated to the Department of Education, and any experts placed in the school or district for technical assistance services, the department will assist low-performing schools and districts in designing and implementing the strategies and measurement identified in the amended plans and in brokering for technical assistance personnel as stipulated in the plan. In addition, the department must monitor student academic achievement and progress on implementation and report their findings to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the local legislative delegation, and the Governor in the fall following the school or district designation as low-performing. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

Funds must be used by the department for implementation and delivery of technical assistance services. Using previous report card data and monitoring reports on the status of implementation of the school renewal plan, the department shall identify priority schools. Funds appropriated for technical assistance shall be used by the department to work with those schools identified as low-performing and to support priority schools under the tiered system. These funds shall not be transferred to any other funding category by the school district without prior approval of the State Superintendent of Education and funds are not subject to agency flexibility provisions.

Reconstitution means the redesign or reorganization of the school, which may include the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo an evaluation in the spring following the school's identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Educators who were employed at a school that is being reconstituted prior to July 2009 and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools July 1, 2009, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights

and requirements of the employment and dismissal laws do not apply to educators who on July 1, 2009 were on an induction or annual contract, that subsequently were offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.

The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April first, at which time notice shall be given to all employees of the school. The department, in consultation with the district superintendent, shall develop a staffing plan and a budget for each reconstituted school.

The State Superintendent of Education may declare a state of emergency in a district if the accreditation status is probation or denied, if a majority of the schools fail to show improvement, if the district is classified as being in "high risk" status financially, or for financial mismanagement resulting in a deficit. The State Superintendent of Education may declare a state of emergency in a school if the accreditation status is probation or denied, or if the school fails to show improvement. Upon declaration of a state of emergency, the Superintendent may take over management of the school or district. Management of the school or district may include direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.

EXHIBIT E

South Carolina Legislature

3221 found 2 times. **H*3221**

Session 122 (2017-2018)

H*3221e(Rat #0041, Act #0023 of 2017) General Bill, By Allison, Collins, Felder, Daning, Govan, Taylor, Knight and Anderson

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, TO ESTABLISH THREE LEVELS OF FISCAL AND BUDGETARY CONCERNS WITH CONDITIONS AND REQUIREMENTS ASSOCIATED WITH EACH, AND TO DIRECT THE DEPARTMENT TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION. - ratified title

12/15/16	House	Prefiled
12/15/16	House	Referred to Committee on Education and Public Works
01/10/17	House	Introduced and read first time (House Journal-page 116)
01/10/17	House	Referred to Committee on Education and Public Works (House Journal-page 116)
01/11/17	House	Member(s) request name added as sponsor: Daning (House Journal-page 42)
01/18/17	House	Member(s) request name added as sponsor: Govan
01/25/17	House	Member(s) request name added as sponsor: Taylor
01/25/17	House	Committee report: Favorable Education and Public Works (House Journal-page 3)
01/25/17	House	Member(s) request name added as sponsor: Knight
01/26/17	House	Debate adjourned until Tues., 1-31-17 (House Journal-page 16)
01/26/17		Scrivener's error corrected
01/31/17	House	Member(s) request name added as sponsor: Anderson
01/31/17	House	Read second time (House Journal-page 24)
01/31/17	House	Roll call Yeas-101 Nays-0 (House Journal-page 25)
02/01/17	House	Read third time and sent to Senate (House Journal-page 14)
02/01/17	Senate	Introduced and read first time (Senate Journal-page 21)
02/01/17	Senate	Referred to Committee on Education (Senate Journal-page 21)
04/03/17	Senate	Committee report: Favorable with amendment Education

04/04/17 Scrivener's error corrected
 04/18/17 Senate Committee Amendment Adopted (Senate Journal-page 21)
 04/18/17 Senate Read second time (Senate Journal-page 21)
 04/18/17 Senate Roll call Ayes-42 Nays-1 (Senate Journal-page 21)
 04/19/17 Scrivener's error corrected
 04/20/17 Senate Read third time and returned to House with
 amendments (Senate Journal-page 12)
 04/21/17 Scrivener's error corrected
 04/25/17 House Concurred in Senate amendment and enrolled
 (House Journal-page 15)
 04/25/17 House Roll call Yeas-101 Nays-0 (House Journal-page 16)
 05/04/17 Ratified R 41
 05/09/17 Signed By Governor
 05/12/17 Effective date 5/9/17
 05/15/17 Act No. 23

VERSIONS OF THIS BILL

12/15/2016
 1/25/2017
 1/26/2017
 4/3/2017
 4/4/2017
 4/18/2017
 4/19/2017

H. 3221

NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.

(A23, R41, H3221)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, TO ESTABLISH THREE LEVELS OF FISCAL AND BUDGETARY CONCERNS WITH CONDITIONS AND REQUIREMENTS ASSOCIATED WITH EACH, AND TO DIRECT THE DEPARTMENT TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE REGULATIONS TO

CARRY OUT THE PROVISIONS OF THIS SECTION.

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

School district fiscal practices of concern, actions authorized

SECTION 1. A. Chapter 20, Title 59 of the 1976 Code is amended by adding:

"Section 59-20-90. (A) The State Department of Education shall work with district superintendents and finance officers to develop and adopt a statewide program with guidelines for:

(1) identifying fiscal practices and budgetary conditions that, if uncorrected, could compromise the fiscal integrity of a school district; and

(2) advising a district identified under item (1) to take appropriate corrective actions.

(B) The program must include a series of criteria that the department shall use to establish three escalating levels of fiscal and budgetary concern, which must be 'fiscal watch', 'fiscal caution', and 'fiscal emergency'.

(C) 'Fiscal watch' is the first level and lowest level of concern.

(1) The State Superintendent of Education shall declare fiscal watch if:

(a) he determines, within his discretion, that a district declared to be in fiscal watch has not acted reasonably to eliminate or correct practices or conditions that prompted the declaration and has determined that a state of fiscal watch is necessary to prevent further decline; and

(b) there is any type of ongoing, related investigation by any state or federal law enforcement agency or any other investigatory agency of the State.

(2) The State Superintendent of Education may declare fiscal watch if:

(a) an independent, outside auditing firm notifies the department that the district is not operating under generally accepted accounting principles; or

(b) the district does not maintain a general reserve fund of at least one month of general fund operating expenditures of the previous two completed fiscal years.

(3)(a) Within sixty days after the State Superintendent of Education declares a fiscal watch for a district, the district board shall submit a financial recovery plan to the department.

(b) The State Superintendent shall evaluate and accept or reject the plan within thirty days after receipt of the financial recovery plan. If he disapproves the plan, he shall recommend modifications that would make the plan acceptable.

(c) A district shall not implement a recovery plan unless approved by the State Superintendent.

(d) The department shall provide technical assistance.

(e) The district board may amend the plan at any time with the State Superintendent's approval.

(f) The district board shall submit an updated recovery plan annually until the district is released from the fiscal watch.

(g) The State Superintendent shall accept or reject an updated plan no later than the anniversary of the date on which the first plan was approved.

(4) A district under a declaration of fiscal watch must not be released from fiscal watch in the same fiscal year in which the declaration was made, but may be released the following fiscal year if the department determines that the corrective actions have been or are being successfully implemented. The State Superintendent shall notify the local board chairman, district superintendent, and chief financial officer of the release of the district from fiscal watch.

(5) The district board of trustees may appeal a declaration of a fiscal watch to the State Board of Education within ten days of the declaration and the state board must hold a hearing on the appeal within thirty days after the filing of the appeal. However, the district shall continue to work with the department in the manner provided by this subsection when a fiscal watch is declared pending determination of the appeal.

(D) 'Fiscal caution' is the second level of concern, and is the intermediate level of concern.

(1)(a) After consulting with the local board of education, the State Superintendent may declare fiscal caution if:

(i) the district's audits have been reviewed and there are conditions observed that could result in a declaration of fiscal emergency; or

(ii) the outside, independent auditing firm conducting the district's audit reports to the State Superintendent that any conditions or practices exist that could result in a declaration of fiscal emergency.

(b) The written communication, verbal communication, or both, between the department and the school district constitutes the consultation with the local board of education required in subitem (a).

(2) The State Superintendent shall declare a school district to be in a state of fiscal caution if:

(a) upon review of the district's annual audit, the department determines financial practices occurring that are outside of acceptable accounting standards exist;

(b) a district submits an annual audit more than sixty days after the December first deadline as provided in Section 59-17-100;

(c) the department discovers any other fiscal practices or conditions that could lead to a declaration of fiscal emergency through the examination of a school district's past two years' audits;

(d) the department reviews a district's annual audit and determines the district is not maintaining the mandatory minimum of one month of general fund operating expenditures in its general reserve fund;

(e) an outside, independent auditing firm declares that a school district's financial records are unauditable;

(f) the department identifies significant deficiencies, material weaknesses, direct and material legal noncompliance or management letter comments which, in the opinion of the department, the aggregate effect of the reported issues has a significant effect on the financial condition of the district; or

(g) there is an ongoing investigation being conducted by any federal or state agency, law enforcement or otherwise, with regard to the district's finances or local board of trustees.

(3) The State Superintendent shall notify the district in writing that a declaration of fiscal caution for the district is pending and request a written proposal for correcting the conditions that led to fiscal caution and for preventing further fiscal difficulties that could lead to fiscal caution within at least ten business days before the effective date of the declaration. The notice must be sent to the board chairman, district superintendent, and chief financial officer, and must include, but not be limited to, an explanation of the circumstances that led to the decision and if there are any steps the school district could take to avoid the declaration.

(4) While a district is under a declaration of fiscal caution:

- (a) the department shall:
 - (i) visit and inspect the district;
 - (ii) provide technical assistance in implementing proposals; and
 - (iii) make recommendations concerning the board's proposals;
- (b) the department may order a performance audit of the district at the department's expense and later require full reimbursement from the district, which the district shall provide within sixty days after the request is made; and
- (c) the district must:
 - (i) be required to provide written proposals for discontinuing or correcting the practices and conditions that led to the declaration of fiscal caution to the department; and
 - (ii) be given approximately sixty days to provide a written proposal, which the department may extend an additional thirty days at the request of the district, provided that no additional extension may be granted under any circumstances.
- (5) If the State Superintendent finds a district has not made reasonable proposals or taken action to correct the practices or conditions that led to the declaration, he may report to the State Board of Education that a declaration of fiscal emergency is necessary to prevent further fiscal decline.
- (6) A district under a declaration of fiscal caution must not be released from fiscal caution in the same fiscal year in which the declaration was made, but may be released the following fiscal year if the department determines that the corrective actions have been or are being successfully implemented. The State Superintendent shall notify the local board chairman, district superintendent, and chief financial officer of the release of the district from fiscal caution.
- (E) The third and most severe level of concern is 'fiscal emergency'. The State Superintendent of Education shall declare fiscal emergency if:
 - (1) a district under fiscal caution fails to submit an acceptable recovery plan within one hundred twenty days or fails to submit an updated recovery plan when required;
 - (2) the department finds that a district under fiscal caution is not complying with an original or updated recovery plan and determines that fiscal emergency is necessary to prevent further decline;
 - (3) a district is at risk of defaulting on any type of debt, to include, but not be limited to, tax anticipation notes, general obligation bonds, or lease-purchase installment agreements;
 - (4) a district has previously been under fiscal watch, fiscal caution, or any combination of fiscal watch and fiscal caution for three fiscal years collectively, regardless of whether these three years are continuous; or
 - (5) he determines that a declaration of fiscal emergency is necessary to correct the district's fiscal problems and to prevent further fiscal decline.
- (6)(a) While a district is under a declaration of fiscal emergency, the department shall:
 - (i) visit and inspect the district;
 - (ii) provide technical assistance in implementing proposals; and
 - (iii) make recommendations concerning the district recovery plans.
- (b) In addition to the provisions of subitem (a), while a district is under a declaration of fiscal emergency,

the district must:

(i) be required to provide written proposals for discontinuing or correcting the practices and conditions that led to the declaration of fiscal emergency to the department; and

(ii) be given approximately sixty days to provide a written proposal, which the department may extend for an additional thirty days at the request of the district, provided that no additional extension may be granted under any circumstances.

(7) If the State Superintendent finds a district has not made reasonable proposals or taken action to correct the practices or conditions that led to the declaration, the Superintendent may make a recommendation to the State Board of Education that the department take over financial operations of the district for the fiscal year in which a fiscal emergency is declared as part of the technical assistance offered to the district. Upon approval of the recommendation by the State Board of Education, the department may maintain financial operations until the district is released from a fiscal emergency.

(8) A district under a declaration of fiscal emergency must not be released from fiscal emergency in the same fiscal year in which the declaration was made, but may be released the following fiscal year if the department determines that the corrective actions have been or are being successfully implemented. The State Superintendent shall notify the local board chairman, district superintendent, and chief financial officer of the release of the district from fiscal emergency.

(F) The provisions of this section are supplemental to other provisions of law, but to the extent the provisions of this section conflict with another provision of law, the provisions of this section must prevail.

(G) The provisions of this section also apply to the statewide charter school district."

B. The State Board of Education shall promulgate regulations to carry out the provisions of this section.

Fiscal practices of local education agencies of concern, actions authorized

SECTION 2.A. Chapter 20, Title 59 of the 1976 Code is amended by adding:

"Section 59-20-95. (A) For purposes of this section, 'LEA' means a state agency that is also a Local Education Agency.

(B) The State Auditor shall adopt the statewide program created by the State Department of Education in Section 59-20-90, and shall use it to identify fiscal practices and budgetary conditions that, if uncorrected, could compromise the fiscal integrity of a state agency that is also an LEA, and advise the LEA to take appropriate corrective actions.

(C)(1) This program must replicate the procedures of Section 59-20-90, except that:

(a) the State Auditor shall act with respect to an LEA as the department acts toward a school district; and

(b) in a declaration of fiscal caution, the State Auditor may waive the provisions of Section 59-20-90(D)(3), (4), (5), and (6) and immediately direct the department to assume emergency management of the LEA, which may continue until the State Auditor releases the LEA from the declaration of fiscal caution; and

(c) in a declaration of fiscal emergency, the State Auditor immediately shall direct the department to assume emergency management of the LEA, which must continue until the State Auditor releases the LEA from the declaration of fiscal emergency.

(2) The department assumes full management of an LEA at the moment that written notice is sent from the State Auditor to the LEA by certified mail, return receipt requested."

B. The State Auditor shall promulgate regulations to carry out the provisions of this section.

Time effective

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 4th day of May, 2017.

Approved the 9th day of May, 2017.

EXHIBIT F

South Carolina Legislature

3220 found 2 times. 

H*3220

Session 122 (2017-2018)

H*3220e(Rat #0055, Act #0035 of 2017) General Bill, By Allison, West, Collins, Felder, B. Newton, Govan, Brown, Whipper, Davis, Anderson, Loftis and Burns

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

12/15/16	House	Prefiled
12/15/16	House	Referred to Committee on Education and Public Works
01/10/17	House	Introduced and read first time (House Journal-page 116)
01/10/17	House	Referred to Committee on Education and Public Works (House Journal-page 116)
01/18/17	House	Member(s) request name added as sponsor: Govan
01/19/17	House	Member(s) request name added as sponsor: Brown, Whipper
01/25/17	House	Committee report: Favorable Education and Public Works (House Journal-page 3)
01/31/17	House	Member(s) request name added as sponsor: Davis, Anderson
01/31/17	House	Amended (House Journal-page 22)
01/31/17	House	Read second time (House Journal-page 22)
01/31/17	House	Roll call Yeas-101 Nays-1 (House Journal-page 22)
02/01/17	House	Read third time and sent to Senate (House Journal-page 14)
02/01/17		Scrivener's error corrected
02/01/17	Senate	Introduced and read first time (Senate Journal-page 21)
02/01/17	Senate	Referred to Committee on Education (Senate Journal-page 21)
02/02/17	House	Member(s) request name added as sponsor: Loftis, Burns
04/27/17	Senate	Committee report: Favorable Education (Senate Journal-page 51)
05/04/17	Senate	Read second time (Senate Journal-page 22)
05/04/17	Senate	Roll call Ayes-41 Nays-0 (Senate Journal-page 22)
05/08/17	Senate	Read third time and enrolled (Senate Journal-page 16)
05/09/17		Ratified R 55
05/10/17		Signed By Governor
05/17/17		Effective date 05/10/17
05/18/17		Act No. 35

VERSIONS OF THIS BILL

12/15/2016
1/25/2017
1/31/2017
2/1/2017
4/27/2017

H. 3220

(A35, R55, H3220)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION ECONOMIC DEVELOPMENT COORDINATING COUNCIL, TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS, AND TO PROVIDE THAT THE PROVISION OF SECTION 59-59-175 EXPIRE FIVE YEARS AFTER ITS EFFECTIVE DATE UNLESS OTHERWISE EXTENDED.

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

South Carolina Education and Economic Development Coordinating Council

SECTION 1. Chapter 59, Title 59 of the 1976 Code is amended by adding:

"Section 59-59-175. (A) There is created the South Carolina Education and Economic Development Coordinating Council. The council is comprised of the following members representing the geographic regions of the State and must be representative of the ethnic, gender, rural, and urban diversity of the State:

- (1) State Superintendent of Education or his designee;
- (2) Executive Director of the South Carolina Department of Employment and Workforce or his designee;
- (3) Executive Director of the State Board for Technical and Comprehensive Education or his designee;
- (4) Secretary of the Department of Commerce or his designee;
- (5) Executive Director of the South Carolina Chamber of Commerce or his designee;
- (6) Chief Executive Officer of the South Carolina Manufacturers Alliance or his designee;
- (7) Executive Director of the South Carolina Commission on Higher Education or his designee;
- (8) Executive Director of the Office of First Steps to School Readiness or his designee;
- (9) the following members who must be appointed by the State Superintendent of Education:
 - (a) a school district superintendent;
 - (b) a principal;
 - (c) a school guidance counselor;
 - (d) a teacher; and
 - (e) the director of a career and technology center;
- (10) the following members who must be appointed by the Chairman of the Commission on Higher Education:
 - (a) the president or provost of a research university;
 - (b) the president or provost of a four-year college or university; and
 - (c) the president of a technical college;

(11) ten representatives of business appointed by the Governor, at least one of whom must represent small business, and one whom must represent the health care industry. Of the representatives appointed by the Governor, five must be recommended by statewide organizations representing business and industry. The chair is to be selected by the Governor from one of his appointees;

(12) Chairman of the Education Oversight Committee or his designee;

(13) a member from the House of Representatives appointed by the Speaker of the House; and

(14) a member from the Senate appointed by the President Pro Tempore.

Initial appointments must be made by October 1, 2017, at which time the Governor shall call the first meeting. Appointments made by the Superintendent of Education and the Governor are to ensure that the demographics and diversity of this State are represented.

Appointed members of the council shall serve for terms of four years each and until their successors are appointed and qualify. Vacancies on the council in appointed positions must be filled by appointment in the same manner of original appointment for the remainder of the unexpired term.

Any member of the council who is a public official with a term of office provided by law, including the State Superintendent of Education and members of the General Assembly, shall serve on the council for a term coterminous with his or her term of office as a public official. Designees of a public official shall serve at the pleasure of the designating public official.

Members of the council who are not public officials but who hold a specified position of employment shall serve on the council for as long as that person holds the specified position. Designees of a person who holds a specified position of employment shall serve at the pleasure of that person.

Members of the council are not deemed to hold an office of honor or profit in this State as the functions of council only involve providing advice, review, recommendations, or reports to other officials, boards, or departments.

(B) The council shall:

(1) advise the Department of Education and the Department of Commerce to ensure the components of this chapter are implemented with fidelity;

(2) review accountability and performance measures for implementation of this chapter;

(3) report annually by December first to the Governor, the General Assembly, the Department of Commerce, the State Board of Education, and other appropriate governing boards on the progress, results, and compliance with the provisions of this chapter to specifically include progress toward career pathways and its ability to provide a better prepared workforce and student success in postsecondary education;

(4) make recommendations to the Department of Education and Department of Commerce for the development and implementation of a communication and marketing plan to promote statewide awareness of the provisions of this chapter;

(5) provide input to the Department of Commerce, State Board of Education, and other appropriate governing boards for the promulgation of regulations to carry out the provisions of this chapter including, but not limited to, enforcement procedures, which may include monitoring and auditing functions, and addressing consequences for noncompliance; and

(6) the coordinating council shall be staffed by personnel from the State Department of Education and the Department of Commerce.

(C) The provisions of this section expire five years after its effective date unless the General Assembly by law extends its provisions."

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 9th day of May, 2017.

Approved the 10th day of May, 2017.

Legislative Services Agency
<http://www.scstatehouse.gov>

EXHIBIT G

South Carolina Legislature

3969 found 2 times. **H*3969**

Session 122 (2017-2018)

H*3969(Rat #0130, Act #0094 of 2017) General Bill, By Felder and Allison

Similar(S 534)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY-BASED EDUCATION; BY ADDING SECTION 59-18-1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59-18-1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR GROWTH USING A VALUE-ADDED SYSTEM; TO AMEND SECTION 59-18-100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59-18-310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59-18-320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS-BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED IN SCHOOL RATINGS; TO AMEND SECTION 59-18-340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE-FUNDED ASSESSMENTS, SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59-18-360, AS AMENDED, RELATING TO ASSESSMENT REPORTS, SO AS TO REVISE DEADLINES; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB-BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO AMEND SECTION 59-18-910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF CHARTER SCHOOL STUDENT PERFORMANCE IN

A DISTRICT'S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59-18-930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59-18-950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS. - ratified title

03/13/17	House	Introduced and read first time (House Journal-page 12)
03/13/17	House	Referred to Committee on Education and Public Works (House Journal-page 12)
03/29/17	House	Committee report: Favorable with amendment Education and Public Works (House Journal-page 48)
03/30/17		Scrivener's error corrected
04/05/17	House	Amended (House Journal-page 13)
04/05/17	House	Read second time (House Journal-page 34)
04/05/17	House	Roll call Yeas-104 Nays-5 (House Journal-page 38)
04/06/17	House	Read third time and sent to Senate (House Journal-page 4)
04/06/17		Scrivener's error corrected
04/11/17	Senate	Introduced and read first time (Senate Journal-page 7)
04/11/17	Senate	Referred to Committee on Education (Senate Journal-page 7)
04/20/17	Senate	Recalled from Committee on Education (Senate Journal-page 4)
05/04/17	Senate	Amended (Senate Journal-page 26)
05/05/17		Scrivener's error corrected
05/08/17		Scrivener's error corrected
05/08/17	Senate	Amended (Senate Journal-page 35)
05/09/17		Scrivener's error corrected
05/09/17	Senate	Read second time (Senate Journal-page 15)
05/10/17	Senate	Amended (Senate Journal-page 29)
05/10/17	Senate	Read third time and returned to House with amendments (Senate Journal-page 29)
05/10/17	Senate	Roll call Ayes-44 Nays-0 (Senate Journal-page 29)
05/10/17	House	Non-concurrence in Senate amendment (House Journal-page 58)
05/10/17	House	Roll call Yeas-0 Nays-98 (House Journal-page 61)
05/11/17	Senate	Senate insists upon amendment and conference committee appointed Hembree, John Matthews, Talley (Senate Journal-page 22)
05/11/17	House	Conference committee appointed Allison, Felder, Brown (House Journal-page 12)
06/06/17	House	Conference report received and adopted
06/06/17	House	Roll call Yeas-103 Nays-0
06/06/17	Senate	Conference report adopted (Senate Journal-page 70)
06/06/17	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 73)
06/06/17	House	Ordered enrolled for ratification
06/06/17		Ratified R 130
06/10/17		Signed By Governor
06/15/17		Effective date 6/10/17
06/20/17		Act No. 94

VERSIONS OF THIS BILL

3/13/2017

3/29/2017

3/30/2017

4/5/2017
4/6/2017
4/20/2017
5/4/2017
5/5/2017
5/8/2017
5/8/2017-A
5/9/2017
5/10/2017
6/6/2017

H. 33969

NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.

(A94, R130, H3969)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1940 SO AS TO PROVIDE THE EDUCATION OVERSIGHT COMMITTEE SHALL DESIGN AND PILOT CERTAIN DISTRICT ACCOUNTABILITY MODELS THAT FOCUS ON COMPETENCY-BASED EDUCATION; BY ADDING SECTION 59-18-1950 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A STATE LONGITUDINAL DATA SYSTEM FOR MEASURING THE CONTINUOUS IMPROVEMENT OF PUBLIC EDUCATION AND THE COLLEGE READINESS AND CAREER READINESS OF PUBLIC SCHOOL GRADUATES, AND TO PROVIDE RELATED FINDINGS; BY ADDING SECTION 59-18-1960 SO AS TO PROVIDE THE MEASURING OF STUDENT PROGRESS OR GROWTH USING A VALUE-ADDED SYSTEM; TO AMEND SECTION 59-18-100, AS AMENDED, RELATING TO THE PURPOSE OF THE ACCOUNTABILITY SYSTEM IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO PROVIDE ADDITIONAL PURPOSES CONCERNING THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-120, AS AMENDED, RELATING TO DEFINITIONS IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO REVISE AND ADD DEFINED TERMS; TO AMEND SECTION 59-18-310, AS AMENDED, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM FOR MEASURING STUDENT PERFORMANCE, SO AS TO DELETE OBSOLETE LANGUAGE AND TO DELETE PROVISIONS CONCERNING THE TIMING FOR ADMINISTERING CERTAIN ASSESSMENTS; TO AMEND SECTION 59-18-320, AS AMENDED, RELATING TO THE ADMINISTRATION OF CERTAIN STATEWIDE STANDARDS-BASED ASSESSMENTS, SO AS TO DELETE OBSOLETE PROVISIONS CONCERNING THE NO CHILD LEFT BEHIND ACT, AND TO DELETE PROVISIONS CONCERNING PERFORMANCE LEVEL RESULTS IN VARIOUS CORE SUBJECT AREAS; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO COLLEGE AND CAREER READINESS SUMMATIVE ASSESSMENTS, SO AS TO REVISE PROCUREMENT AND ADMINISTRATION PROVISIONS AND THE TIME AFTER WHICH RESULTS OF SUCH ASSESSMENTS MAY BE INCLUDED IN SCHOOL RATINGS; TO AMEND SECTION 59-18-340, AS AMENDED, RELATING TO THE MANDATORY PROVISION OF STATE-FUNDED ASSESSMENTS, SO AS TO DELETE ONE SUCH ASSESSMENT AND INCLUDE TWO ADDITIONAL ASSESSMENTS; TO AMEND SECTION 59-18-360, AS AMENDED, RELATING TO ASSESSMENT REPORTS, SO AS TO REVISE DEADLINES; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO THE COMPREHENSIVE ANNUAL REPORT CARD FOR SCHOOLS, SO AS TO PROVIDE IT IS WEB-BASED, TO REVISE THE PURPOSES OF THE REPORT CARD, TO REVISE AND DEFINE CATEGORIES OF ACADEMIC PERFORMANCE RATINGS, TO PROVIDE THE SAME CATEGORIES ALSO MUST BE ASSIGNED TO INDIVIDUAL INDICATORS USED TO MEASURE SCHOOL PERFORMANCE, TO MAKE THE USE OF STUDENT SCORES IN CALCULATING SCHOOL RATINGS BE OPTIONAL INSTEAD OF MANDATORY, TO DELETE STUDENT PERFORMANCE LEVELS, TO PROVIDE THE REPORT CARD MUST INCLUDE INDICATORS THAT MEET FEDERAL LAW REQUIREMENTS, TO INCLUDE DROPOUT RETENTION DATA AND ACCESS TO TECHNOLOGY AMONG THE TYPES OF INFORMATION THAT SHOULD BE INCLUDED IN REPORT CARDS, AND TO

REVISE REQUIREMENTS FOR RELATED SCHOOL IMPROVEMENT COUNCIL REPORTS; TO AMEND SECTION 59-18-910, AS AMENDED, RELATING TO COMPREHENSIVE CYCLICAL REVIEWS OF THE ACCOUNTABILITY SYSTEM, SO AS TO REQUIRE THE INCLUSION OF CERTAIN RECOMMENDATIONS DETERMINING THE READINESS OF GRADUATING STUDENTS IN CERTAIN CATEGORIES RELATED TO THE PROFILE OF THE SOUTH CAROLINA GRADUATE; TO AMEND SECTION 59-18-920, AS AMENDED, RELATING TO CHARTER SCHOOLS, SO AS TO PROVIDE DATA REQUIRED OF A CHARTER SCHOOL MAY BE USED TO DEVELOP A RATING OF THE SCHOOL, TO DELETE EXISTING PROVISIONS CONCERNING THE CHARTER SCHOOL RATINGS, TO DELETE PROVISIONS PROHIBITING USE OF CHARTER SCHOOL STUDENT PERFORMANCE IN A DISTRICT'S OVERALL PERFORMANCE RATINGS; TO AMEND SECTION 59-18-930, AS AMENDED, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT ANNUALLY ISSUE AN EXECUTIVE SUMMARY OF THE REPORT CARD, SO AS TO PROVIDE THE DEPARTMENT INSTEAD MAY PUBLISH THE REPORT ON ITS WEBSITE IN A CERTAIN MANNER, AND TO PROVIDE CERTAIN NATIONAL ASSESSMENT SCORES MAY BE INCLUDED; AND TO REPEAL SECTION 59-18-950 RELATING TO CRITERIA FOR SCHOOL DISTRICT AND HIGH SCHOOL RATINGS.

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

Pilot district accountability models

SECTION 1. Article 19, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1940. Working with the Education Oversight Committee, the State Department of Education shall design and pilot district accountability models that focus on competency-based education for a district or school or on regional or county economic initiatives to improve the postsecondary success of students. A district may apply to the department and the committee to participate in the pilot."

Longitudinal data system

SECTION 2. Article 19, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1950. (A) The General Assembly recognizes the importance of having a state longitudinal data system to inform policy and fiscal decisions related to early childhood education, public education, postsecondary preparedness and success, and workforce development.

(B)(1) The Revenue and Fiscal Affairs Office, working with the Office of First Steps to School Readiness, the South Carolina Department of Education, the South Carolina Commission on Higher Education, the Department of Social Services, the South Carolina Technical College System, the Department of Commerce, the Department of Employment and Workforce, and other state agencies or institutions of higher education, shall develop, implement, and maintain a universal identification system that includes, at a minimum, the following information for measuring the continuous improvement of the state public education system and the college and career readiness and success of its graduates:

- (a) students graduating from public high schools in the State who enter postsecondary education without the need for remediation;
 - (b) working-aged adults in South Carolina by county who possess a postsecondary degree or industry credential;
 - (c) high school graduates who are gainfully employed in the State within five and ten years of graduating from high school; and
 - (d) outcome data regarding student achievement and student growth that will assist colleges of education in achieving accreditation and in improving the quality of teachers in classrooms.
- (2) All information disseminated will conform to state and federal privacy laws."

School growth measurement system

SECTION 3. Article 19, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1960. In measuring annual school growth, with approval of the State Board of Education and the Education Oversight Committee, the State shall use a value-added system that calculates student progress or growth. A local school district may, in its discretion, use the value-added system to evaluate classroom teachers using student progress or growth. The estimates of specific teacher effects on the educational progress of students will not be a public record and will be made available only to the specific teacher, principal, and superintendent. Furthermore, the estimates of specific teacher effects may also be made to any teacher preparation programs approved by the State Board of Education. The estimates made available to the teacher preparation programs shall not be a public record and shall be used only in evaluation of the respective teacher preparation programs. Furthermore, educator effectiveness data must be exempt from public disclosure pursuant to Section 30-4-30, and may not be subject to the South Carolina Freedom of Information Act. An institution or postsecondary system receiving the estimates shall develop a policy to protect the confidentiality of the data."

Performance-based system, Profile of the South Carolina graduate

SECTION 4. Section 59-18-100 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"Section 59-18-100. The General Assembly finds that South Carolinians have a commitment to public education and a conviction that high expectations for all students are vital components for improving academic achievement. It is the purpose of the General Assembly in this chapter to establish a performance-based accountability system for public education which focuses on improving teaching and learning so that students are equipped with a strong academic foundation. Moreover, to meet the Profile of the South Carolina Graduate, all students graduating from public high schools in this State should have the knowledge, skills, and opportunity to be college ready, career ready, and life ready for success in the global, digital, and knowledge-based world of the twenty-first century as provided in Section 59-1-50. All graduates should have the opportunity to qualify for and be prepared to succeed in entry-level, credit-bearing college courses, without the need for remedial coursework, postsecondary job training, or significant on-the-job training. Accountability, as defined by this chapter, means acceptance of the responsibility for improving student performance and taking actions to improve classroom practice and school performance by the Governor, the General Assembly, the State Department of Education, colleges and universities, local school boards, administrators, teachers, parents, students, and the community."

Definitions

SECTION 5. Section 59-18-120 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"Section 59-18-120. As used in this chapter:

- (1) 'Oversight Committee' means the Education Oversight Committee established in Section 59-6-10.
- (2) 'Standards-based assessment' means an assessment where an individual's performance is compared to specific performance standards and not to the performance of other students.
- (3) 'Disaggregated data' means data broken out for specific groups within the total student population, such as by race, gender, level of poverty, limited English proficiency status, disability status, gifted and talented, or other groups as required by federal statutes or regulations.
- (4) 'Longitudinally matched student data' means examining the performance of a single student or a group of students by considering their test scores over time.
- (5) 'Academic achievement standards' means statements of expectations for student learning.

(6) 'Department' means the State Department of Education.

(7) 'Performance rating' means the classification a school will receive based on the percentage of students meeting standard on the state's standards-based assessment, student growth or student progress from one school year to the next, graduation rates, and other indicators as determined by federal guidelines and the Education Oversight Committee, as applicable. To increase transparency and accountability, the overall points achieved by a school to determine its 'performance rating' must be based on a numerical scale from zero to one hundred, with one hundred being the maximum total achievable points for a school.

(8) 'Objective and reliable statewide assessment' means assessments that yield consistent results and that measure the cognitive knowledge and skills specified in the state-approved academic standards and do not include questions relative to personal opinions, feelings, or attitudes and are not biased with regard to race, gender, or socioeconomic status. The assessments must include a writing assessment and questions designed to reflect a range of cognitive abilities beyond the knowledge level. Constructed response questions may be included as a component of the writing assessment.

(9) 'Division of Accountability' means the special unit within the oversight committee established in Section 59-6-100.

(10) 'Formative assessment' means assessments used within the school year to analyze general strengths and weaknesses in learning and instruction, to understand the performance of students individually and across achievement categories, to adapt instruction to meet students' needs, and to consider placement and planning for the next grade level. Data and performance from the formative assessments must not be used in the calculation of elementary, middle, or high school ratings, but may be used in determining primary school ratings."

Standards-based assessments, selection, use, kindergarten included

SECTION 6. Section 59-18-310 of the 1976 Code, as last amended by Act 207 of 2016, is further amended to read:

"Section 59-18-310. (A) Notwithstanding any other provision of law, the State Board of Education, through the Department of Education, is required to develop or adopt a statewide assessment program to promote student learning and to measure student performance on state standards and:

- (1) identify areas in which students, schools, or school districts need additional support;
- (2) indicate the academic achievement for schools, districts, and the State;
- (3) satisfy federal reporting requirements; and
- (4) provide professional development to educators.

Assessments required to be developed or adopted pursuant to the provisions of this section or chapter must be objective and reliable, and administered in English and in Braille for students as identified in their Individual Education Plan.

(B)(1) The statewide assessment program must include the subjects of English/language arts, mathematics, science, and social studies in grades three through eight, as delineated in Section 59-18-320, and end-of-course tests for courses selected by the State Board of Education and approved by the Education Oversight Committee for federal accountability, which award units of credit in English/language arts, mathematics, science, and social studies. A student's score on an end-of-year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end-of-course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set

forth in this section and State Regulation to earn a South Carolina high school diploma.

(2) A person who is no longer enrolled in a public school and who previously failed to receive a high school diploma or was denied graduation solely for failing to meet the exit exam requirements pursuant to this section and State Regulation may petition the local school board to determine the student's eligibility to receive a high school diploma pursuant to this chapter. The local school board will transmit diploma requests to the South Carolina Department of Education in accordance with department procedures. Petitions under this section must be submitted to the local school district. Students receiving diplomas in accordance with this section shall not be counted as graduates in the graduation rate calculations for affected schools and districts, either retroactively or in current or future calculations. On or before January 31, 2019, the South Carolina Department of Education shall report to the State Board of Education and the General Assembly the number of diplomas granted, by school district, under the provision. The State Board of Education shall remove any conflicting requirement and promulgate conforming changes in its applicable regulations. The department shall advertise the provisions of this item in at least one daily newspaper of general circulation in the area of each school district within forty-five days after this enactment. After enactment, the department may continue to advertise the provisions of this item, but it shall not be required to advertise after December 31, 2017. At a minimum, this notice must consist of two columns measuring at least ten inches in length and measuring at least four and one-half inches combined width, and include:

- (a) a headline printed in at least a twenty-four point font that is boldfaced;
- (b) an explanation of who qualifies for the petitioning option;
- (c) an explanation of the petition process;
- (d) a contact name and phone number; and
- (e) the deadline for submitting a petition.

(C) While assessment is called for in the specific areas mentioned above, this should not be construed as lessening the importance of foreign languages, visual and performing arts, health, physical education, and career or occupational programs.

(D) The State Board of Education shall create a statewide adoption list of formative assessments for grades kindergarten through nine aligned with the state content standards in English/language arts and mathematics that satisfies professional measurement standards in accordance with criteria jointly determined by the Education Oversight Committee and the State Department of Education. The formative assessments must provide diagnostic information in a timely manner to all school districts for each student during the course of the school year. For use beginning with the 2009-2010 School Year, and subject to appropriations by the General Assembly for the assessments, local districts must be allocated resources to select and administer formative assessments from the statewide adoption list to use to improve student performance in accordance with district improvement plans. However, if a local district already administers formative assessments, the district may continue to use the assessments if they meet the state standards and criteria pursuant to this subsection.

(E) The State Department of Education shall provide on-going professional development in the development and use of classroom assessments, the use of formative assessments, and the use of the end-of-year state assessments so that teaching and learning activities are focused on student needs and lead to higher levels of student performance."

Standards-based assessments, accountability purposes, obsolete language removed, third grade included

SECTION 7. Section 59-18-320(B) of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"(B) After review and approval by the Education Oversight Committee, and pursuant to Section 59-18-325

the standards-based assessment of mathematics, English/language arts, social studies, and science will be administered for accountability purposes to all public school students in grades three through eight, to include those students as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act. To reduce the number of days of testing, to the extent possible, field test items must be embedded with the annual assessments. To ensure that school districts maintain the high standard of accountability established in the Education Accountability Act, performance level results reported on school and district report cards must meet consistently high levels in all four core content areas. For students with documented disabilities, the assessments developed by the Department of Education shall include the appropriate modifications and accommodations with necessary supplemental devices as outlined in a student's Individualized Education Program and as stated in the Administrative Guidelines and Procedures for Testing Students with Documented Disabilities."

College entrance and career readiness assessments

SECTION 8. Section 59-18-325 of the 1976 Code, as last amended by Act 281 of 2016, is further amended to read:

"Section 59-18-325. (A) Beginning in eleventh grade for the first time in School Year 2017-2018 and subsequent years, all students must be offered a college entrance assessment that is from a provider secured by the department. In addition, all students entering the eleventh grade for the first time in School Year 2017-2018 and subsequent years must be administered a career readiness assessment. The results of the assessments must be provided to each student, their respective schools, and to the State to:

- (1) assist students, parents, teachers, and guidance counselors in developing individual graduation plans and in selecting courses aligned with each student's future ambitions;
- (2) promote South Carolina's Work Ready Communities initiative; and
- (3) meet federal and state accountability requirements.

(B) Students subsequently may use the results of these assessments to apply to college or to enter careers. The results must be added as part of each student's permanent record and maintained at the department for at least ten years. The purpose of the results is to provide instructional information to assist students, parents, and teachers to plan for each student's course selection. This course selection might include remediation courses, dual-enrollment or dual-credit courses, advanced placement courses/International Baccalaureate, internships, career and technology courses that are aligned with appropriate industry credentials or certificates, or other options during the remaining semesters in high school.

- (1) For purposes of this section, 'eleventh grade students' means students in the third year of high school after their initial enrollment in the ninth grade.
- (2) Valid accommodations must be provided according to the students' IEP or 504 plan. If a student also chooses to use the results of the college readiness assessment for post-secondary admission or placement, the student, his parent, or his guardian must indicate that choice in compliance with the testing vendor's deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college reportable score.
- (3) In the twelfth grade, and as aligned to the student's Individual Graduation Plan, if funds are available, the State shall provide all students the opportunity to take or retake a college readiness assessment, the career readiness assessment, and/or earn industry credentials or certifications at no cost to the students. The results of the assessments must be provided to each student, the respective schools, and to the State.
- (4) A student with a disability, whose Individualized Education Program (IEP) team determines, and agrees in writing, that taking either of these assessments would not be aligned with the student's program of study and the student should not be administered either assessment, must not be administered either

assessment.

(C) To maintain a comprehensive and cohesive assessment system that signals a student's preparedness for the next educational level and ultimately culminates in a clear indication of a student's preparedness for postsecondary success in a college or career and to satisfy federal and state accountability purposes, the State Department of Education shall procure and maintain a summative assessment system.

(1) The summative assessment must be administered to all students in grades three through eight. The summative assessment must assess students in English/language arts and mathematics, including those students as required by the federal Individuals with Disabilities Education Act and by Title I of the Elementary and Secondary Education Act. For purposes of this subsection, 'English/language arts' includes English, reading, and writing skills as required by existing state standards. The assessment must be a rigorous, achievement assessment that measures student mastery of the state standards, that provides timely reporting of results to educators, parents, and students, and that measures each student's progress toward college and career readiness. Therefore, the assessment or assessments must meet all of the following minimum requirements:

- (a) compares performance of students in South Carolina to other students' performance on comparable standards in other states with the ability to link the scales of the South Carolina assessment to the scales from other assessments measuring those comparable standards;
- (b) be a vertically scaled, benchmarked, standards-based system of summative assessments;
- (c) measures a student's preparedness for the next level of their educational matriculation and individual student performance against the state standards in English/language arts, reading, writing, mathematics, and student growth;
- (d) documents student progress toward national college and career readiness benchmarks derived from empirical research and state standards;
- (e) establishes at least four student achievement levels;
- (f) includes various test questions including, but not limited to, multiple choice, constructed response, and selected response, that require students to demonstrate their understanding of the content;
- (g) be administered to all students in a computer-based format except for students with disabilities as specified in the student's IEP or 504 plan, and unless the use of a computer by these students is prohibited due to the vendor's restrictions on computer-based test security, in which case the paper version must be made available; and
- (h) assists school districts and schools in aligning assessment, curriculum, and instruction.

(2)(a) Beginning in the 2017-2018 School Year, each school district shall administer the statewide summative assessment, with the exception of alternate assessments, for grades three through eight during the last twenty days of school as determined by the district's regular instructional calendar, not including make-up days. If an extension to the twenty-day time period is needed, the school district or charter school may submit a request for an extension to the State Board of Education before December first of the school year for which the waiver is requested. The request must clearly document the scope and rationale for the extension. The request also must be accompanied by an action plan showing how the district or charter school will be able to comply with the twenty-day time frame for the following school year.

(b) Statewide summative testing for each student may not exceed eight days each school year, with the exception of students with disabilities as specified in their IEPs or 504 plans.

(c) The State Board of Education shall promulgate regulations outlining the procedures to be used during the testing process to ensure test security, including procedures for make-up days, and to comply with federal and state assessment requirements where necessary.

(d) In the event of school closure due to extreme weather or other disruptions that are not the fault of the district, or significant school or district technology disruptions that impede computer-based assessment administration, the school district or charter school may submit a request to the department to provide a paper-based administration to complete testing within the last twenty days of school. The request must clearly document the scope and cause of the disruption.

(3) Beginning with the 2017-2018 School Year, the department shall procure and administer the standards-based assessments of mathematics and English/language arts to students in grades three through eight. The department also shall procure and administer the standards-based assessment in science to students in grades four, six, and eight, and the standards-based assessment in social studies to students in grades five and seven.

(4) The State Department of Education shall reimburse districts for the administration of the college entrance and career readiness assessments.

(5) Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59-18-310.

(6) Within thirty days after providing student performance data to the school districts as required by law, the department must provide to the Education Oversight Committee student performance results on assessments authorized in this subsection and end-of-course assessments in a format agreed upon by the department and the Oversight Committee. The results of these assessments must be included in state ratings for each school beginning in the 2017-2018 School Year. The Oversight Committee also must develop and recommend a single accountability system that meets federal and state accountability requirements by the Fall of 2017. While developing the single accountability system that will be implemented in the 2017-2018 School Year, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the Fall of 2016 and 2017 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school, district, and statewide student assessment results in reading and mathematics in grades three through eight; (2) high school and district graduation rates; and (3) measures of student college and career readiness at the school, district, and statewide level. These transitional reports will inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.

(7) When standards are subsequently revised, the Department of Education, the State Board of Education and the Education Oversight Committee shall approve assessments pursuant to Section 59-18-320."

Tenth grade assessments

SECTION 9. Section 59-18-340 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"Section 59-18-340. High schools shall offer state-funded PSAT, pre-ACT, or tenth grade Aspire tests to each tenth grade student in order to assess and identify curricular areas that need to be strengthened and reinforced. Schools and districts shall use these assessments as diagnostic tools to provide academic assistance to students whose scores reflect the need for such assistance. Schools and districts shall use these assessments to provide guidance and direction for parents and students as they plan for postsecondary experiences."

Annual assessment reports, deadline exception

SECTION 10. Section 59-18-360 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"Section 59-18-360. Beginning with the 2010 assessment administration, the Department of Education is

directed to provide assessment results annually on individual students and schools by August first, except when assessments are being updated and new achievement standards are being set, in a manner and format that is easily understood by parents and the public. In addition, the school assessment results must be presented in a format easily understood by the faculty and in a manner that is useful for curriculum review and instructional improvement. The department is to provide longitudinally matched student data from the standards-based assessments and include information on the performance of subgroups of students within the school. The department must work with the Division of Accountability in developing the formats of the assessment results. Schools and districts are responsible for disseminating this information to parents."

Annual report cards

SECTION 11. Section 59-18-900 of the 1976 Code, as last amended by Act 289 of 2014, is further amended to read:

"Section 59-18-900. (A) The Education Oversight Committee, working with the State Board of Education is directed to establish the format of a comprehensive, web-based, annual report card to report on the performance for the State and for individual primary, elementary, middle, high schools, career centers, and school districts of the State. The comprehensive report card must be in a reader-friendly format, using graphics whenever possible, published on the state, district, and school website, and, upon request, printed by the school districts. The school's rating must be emphasized and an explanation of its meaning and significance for the school also must be reported. The annual report card must serve at least six purposes:

- (1) inform parents and the public about the school's performance including, but not limited to, that on the home page of the report there must be each school's overall performance rating in a font size larger than twenty-six and the total number of points the school achieved on a zero to one hundred scale;
- (2) assist in addressing the strengths and weaknesses within a particular school;
- (3) recognize schools with high performance;
- (4) evaluate and focus resources on schools with low performance;
- (5) meet federal report card requirements; and
- (6) document the preparedness of high school graduates for college and career.

(B)(1) The Education Oversight Committee, working with the State Board of Education and a broad-based group of stakeholders, including, but not limited to, parents, business and industry persons, community leaders, and educators, shall determine the criteria for and establish performance ratings of excellent, good, average, below average, and unsatisfactory for schools to increase transparency and accountability as provided below:

- (a) Excellent - School performance substantially exceeds the criteria to ensure all students meet the Profile of the South Carolina Graduate;
- (b) Good - School performance exceeds the criteria to ensure all students meet the Profile of the South Carolina Graduate;
- (c) Average - School performance meets the criteria to ensure all students meet the Profile of the South Carolina Graduate;
- (d) Below Average - School performance is in jeopardy of not meeting the criteria to ensure all students meet the Profile of the South Carolina Graduate; and
- (e) Unsatisfactory - School performance fails to meet the criteria to ensure all students meet the Profile of the South Carolina Graduate.

- (2) The same categories of performance ratings also must be assigned to individual indicators used to measure a school's performance including, but not limited to, academic achievement, student growth or progress, graduation rate, English language proficiency, and college and career readiness.
- (3) Only the scores of students enrolled continuously in the school from the time of the forty-five-day enrollment count to the first day of testing must be included in calculating the rating. Graduation rates must be used as an additional accountability measure for high schools and school districts.
- (4) The Oversight Committee, working with the State Board of Education, shall establish student performance indicators which will be those considered to be useful for inclusion as a component of a school's overall performance and appropriate for the grade levels within the school.
- (C) In setting the criteria for the academic performance ratings and the performance indicators, the Education Oversight Committee shall report the performance by subgroups of students in the school and schools similar in student characteristics. Criteria must use established guidelines for statistical analysis and build on current data-reporting practices.
- (D) The comprehensive report card must include a comprehensive set of performance indicators with information on comparisons, trends, needs, and performance over time which is helpful to parents and the public in evaluating the school. In addition, the comprehensive report card must include indicators that meet federal law requirements. Special efforts are to be made to ensure that the information contained in the report card is provided in an easily understood manner and a reader-friendly format. This information should also provide a context for the performance of the school. Where appropriate, the data should yield disaggregated results to schools and districts in planning for improvement. The report card should include information in such areas as programs and curriculum, school leadership, community and parent support, faculty qualifications, evaluations of the school by parents, teachers, and students. In addition, the report card must contain other criteria including, but not limited to, information on promotion and retention ratios, disciplinary climate, dropout ratios, dropout reduction data, dropout retention data, access to technology, student and teacher ratios, and attendance data.
- (E) After reviewing the school's performance on statewide assessments and results of other report card criteria, the principal, in conjunction with the School Improvement Council established in Section 59-20-60, must write an annual narrative of a school's progress in order to further inform parents and the community about the school and its efforts to ensure that all students graduate with the knowledge, skills, and opportunity to be college ready, career ready, and life ready for success in the global, digital, and knowledge-based world of the twenty-first century as provided in Section 59-1-50. The narrative must be reviewed by the district superintendent or appropriate body for a local charter school. The narrative must cite factors or activities supporting progress and barriers which inhibit progress. The school's report card must be furnished to parents and the public no later than November fifteenth for the 2016-2017 and 2017-2018 School Years. To further increase transparency and accountability, for the 2018-2019 School Year, the school's report card must be furnished to parents and the public no later than October first. For the 2019-2020 School Year, and every subsequent year, the school's report card must be furnished to parents and the public no later than September first.
- (F) The percentage of new trustees who have completed the orientation requirement provided in Section 59-19-45 must be reflected on the school district website.
- (G) The State Board of Education shall promulgate regulations outlining the procedures for data collection, data accuracy, data reporting, and consequences for failure to provide data required in this section.
- (H) The Education Oversight Committee, working with the State Board of Education, is directed to establish a comprehensive annual report concerning the performance of military-connected children who attend primary, elementary, middle, and high schools in this State. The comprehensive annual report must be in a reader-friendly format, using graphics whenever possible, published on the state, district, and school websites, and, upon request, printed by the school districts. The annual comprehensive report must address at least attendance, academic performance in reading, math, and science, and graduation rates of military-

connected children."

Cyclical review of accountability systems

SECTION 12. Section 59-18-910 of the 1976 Code, as last amended by Act 282 of 2008, is further amended to read:

"Section 59-18-910. Beginning in 2020, the Education Oversight Committee, working with the State Board of Education and a broad-based group of stakeholders, selected by the Education Oversight Committee, shall conduct a comprehensive cyclical review of the accountability system at least every five years and shall provide the General Assembly with a report on the findings and recommended actions to improve the accountability system and to accelerate improvements in student and school performance. The stakeholders must include the State Superintendent of Education and the Governor, or the Governor's designee. The other stakeholders include, but are not limited to, parents, business and industry persons, community leaders, and educators. The cyclical review must include recommendations of a process for determining if students are graduating with the world-class skills and life and career characteristics of the Profile of the South Carolina Graduate to be successful in postsecondary education and in careers. The accountability system needs to reflect evidence that students have developed these skills and characteristics."

Charter school report cards, district ratings

SECTION 13. Section 59-18-920 of the 1976 Code, as last amended by Act 164 of 2012, is further amended to read:

"Section 59-18-920. A charter school established pursuant to Chapter 40, Title 59 shall report the data requested by the Department of Education necessary to generate a report card and a rating. The performance of students attending charter schools sponsored by the South Carolina Public Charter School District must be included in the overall performance ratings of each school in the South Carolina Public Charter School District. The performance of students attending a charter school authorized by a local school district must be reflected on a separate line on the school district's report card. An alternative school is included in the requirements of this chapter; however, the purpose of an alternative school must be taken into consideration in determining its performance rating. The Education Oversight Committee, working with the State Board of Education and the School to Work Advisory Council, shall develop a report card for career and technology schools."

Publication of report cards

SECTION 14. Section 59-18-930(A) of the 1976 Code, as last amended by Act 34 of 2009, is further amended to read:

"(A) The State Department of Education annually shall publish on its website home page the report card to all schools and districts of the State no later than November fifteenth, for the 2016-2017 and 2017-2018 School Years. To further increase transparency and accountability, for the 2018-2019 School Year, the school's report card must be furnished to parents and the public no later than October first. For the 2019-2020 School Year, and every subsequent year, the school's report card must be furnished to parents and the public no later than September first. The home page report card must be capable of being downloaded into a portable document format (PDF) and must contain National Assessment of Educational Progress (NAEP) scores or other national scores or comparisons, if available. The report card summary must be made available to all parents of the school and the school district."

Repeal

SECTION 15. Section 59-18-950 of the 1976 Code is repealed.

Time effective

SECTION 16. This act takes effect upon approval by the Governor.

Ratified the 6th day of June, 2017.

Approved the 10th day of June, 2017.

EXHIBIT H

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be ~~\$2,350~~ \$2,425. For the current fiscal year, the total pupil count is projected to be ~~723,953~~ 721,401. The average per pupil funding is projected to be ~~\$5,827~~ \$6,120 state, *of which \$2,339 comes from the EFA*, ~~\$1,245~~ \$1,294 federal, and ~~\$5,542~~ \$5,726 local. This is an average total funding level of ~~\$14,210~~ \$13,140 excluding revenues of local bond issues. For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

- (1) K-12 pupils or base students including homebound students 1.00
Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.
- (2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs
- (3) Precareer and Career Technology 1.29
- (4) Additional weights for personalized instruction:
 - (A) Gifted and Talented 0.15
 - (B) Academic Assistance 0.15
 - (C) Limited English Proficiency 0.20
 - (D) Pupils in Poverty 0.20
 - (E) Dual Credit Enrollment 0.15

No local match is required for the additional weightings for personalized instruction in *the current* school year 2016-17. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must assist students in accessing Lottery Tuition Assistance when applicable.

For the current school year, the Department of Education will continue to use counts from the prior school year to determine poverty funding for the add-on weighting. The Department of Education will continue to work with school districts to determine students eligible for the poverty add-on using the data elements used to determine USDA community eligibility to be used in future years.

Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five day student average daily membership for all classifications. During the current fiscal year the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30, 2017. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

EXHIBIT I

H630

Sec. 1-1

**SECTION 1
DEPARTMENT OF EDUCATION**

pg. 1

	2016-2017		2017-2018		2017-2018		2017-2018	
	APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
	TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1 I. SUPERINTENDENT OF EDUCATION								
2 STATE SUPERINTENDENT OF	92,007	92,007	92,007	92,007	92,007	92,007	92,007	92,007
3 EDUCATION	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)
4 CLASSIFIED POSITIONS	1,391,706	1,147,927	1,391,706	1,147,927	1,391,706	1,147,927	1,391,706	1,147,927
5	(25.00)	(21.25)	(25.00)	(21.25)	(25.00)	(21.25)	(25.00)	(21.25)
6 UNCLASSIFIED POSITIONS	123,247	123,247	123,247	123,247	123,247	123,247	123,247	123,247
7 OTHER PERSONAL SERVICES	88,800		88,800		88,800		88,800	
8 OTHER OPERATING EXPENSES	987,768	151,025	987,768	151,025	987,768	151,025	987,768	151,025
9 TOTAL I. SUPERINTENDENT OF	2,683,528	1,514,206	2,683,528	1,514,206	2,683,528	1,514,206	2,683,528	1,514,206
10 EDUCATION	(26.00)	(22.25)	(26.00)	(22.25)	(26.00)	(22.25)	(26.00)	(22.25)
11								
12 II. BOARD OF EDUCATION								
13 OTHER PERSONAL SERVICES	4,787	4,787	4,787	4,787	4,787	4,787	4,787	4,787
14 OTHER OPERATING EXPENSES	53,247	53,247	53,247	53,247	53,247	53,247	53,247	53,247
15 TOTAL II. BOARD OF EDUCATION	58,034	58,034	58,034	58,034	58,034	58,034	58,034	58,034
16								
17 III. ACCOUNTABILITY								
18 A. OPERATIONS								
19 CLASSIFIED POSITIONS	6,922,125	2,387,936	6,922,125	2,387,936	6,922,125	2,387,936	6,922,125	2,387,936
20	(83.02)	(34.25)	(83.02)	(34.25)	(83.02)	(34.25)	(83.02)	(34.25)
21 UNCLASSIFIED POSITIONS	122,868	122,868	122,868	122,868	122,868	122,868	122,868	122,868
22	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)
23 OTHER PERSONAL SERVICES	473,732	15,709	473,732	15,709	473,732	15,709	473,732	15,709
24 OTHER OPERATING EXPENSES	20,019,972	210,254	20,019,972	210,254	20,019,972	210,254	20,019,972	210,254
25 TOTAL A. OPERATIONS	27,538,697	2,736,767	27,538,697	2,736,767	27,538,697	2,736,767	27,538,697	2,736,767
26	(84.02)	(35.25)	(84.02)	(35.25)	(84.02)	(35.25)	(84.02)	(35.25)
27								
28 B. EDUCATIONAL ACCOUNTABILITY ACT								
29 CLASSIFIED POSITIONS	244,236	244,236	244,236	244,236	244,236	244,236	244,236	244,236
30 OTHER OPERATING EXPENSES	64,811	64,811	64,811	64,811	64,811	64,811	64,811	64,811
31 TOTAL B. EDUCATIONAL	309,047	309,047	309,047	309,047	309,047	309,047	309,047	309,047
32 ACCOUNTABILITY ACT								
33								
34 C. SCOICC								

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**SECTION I
DEPARTMENT OF EDUCATION**

pg. 2

		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1	CLASSIFIED POSITIONS	259,102	259,102	259,102	259,102	259,102	259,102	259,102	259,102
2		(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)
3	OTHER PERSONAL SERVICES	44,882	44,882	44,882	44,882	44,882	44,882	44,882	44,882
4	OTHER OPERATING EXPENSES	32,973	32,973	32,973	32,973	32,973	32,973	32,973	32,973
5	TOTAL C. SCOICC	336,957	336,957	336,957	336,957	336,957	336,957	336,957	336,957
6		(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)	(4.00)
7									
8	TOTAL III. ACCOUNTABILITY	28,184,701	3,382,771	28,184,701	3,382,771	28,184,701	3,382,771	28,184,701	3,382,771
9		(88.02)	(39.25)	(88.02)	(39.25)	(88.02)	(39.25)	(88.02)	(39.25)
10									
11	IV. CHIEF INFORMATION OFFICE								
12	CLASSIFIED POSITIONS	1,695,821	1,665,821	1,695,821	1,665,821	1,695,821	1,665,821	1,695,821	1,665,821
13		(22.51)	(16.76)	(22.51)	(16.76)	(22.51)	(16.76)	(22.51)	(16.76)
14	OTHER OPERATING EXPENSES	2,024,656	2,019,656	2,024,656	2,019,656	2,024,656	2,019,656	2,024,656	2,019,656
15	TOTAL IV. CHIEF INFORMATION	3,720,477	3,685,477	3,720,477	3,685,477	3,720,477	3,685,477	3,720,477	3,685,477
16	OFFICE	(22.51)	(16.76)	(22.51)	(16.76)	(22.51)	(16.76)	(22.51)	(16.76)
17									
18	V. SCHOOL EFFECTIVENESS & VIRTUALSC								
19	CLASSIFIED POSITIONS	5,691,872	4,770,807	5,691,872	4,770,807	5,691,872	4,770,807	5,691,872	4,770,807
20		(102.49)	(78.05)	(102.49)	(78.05)	(102.49)	(78.05)	(102.49)	(78.05)
21	UNCLASSIFIED POSITIONS	795,025	795,025	795,025	795,025	795,025	795,025	795,025	795,025
22		(15.00)	(15.00)	(15.00)	(15.00)	(15.00)	(15.00)	(15.00)	(15.00)
23	OTHER PERSONAL SERVICES	892,155	469,751	892,155	469,751	892,155	469,751	892,155	469,751
24	OTHER OPERATING EXPENSES	12,350,276	4,640,146	12,350,276	4,640,146	12,350,276	4,640,146	12,350,276	4,640,146
25	TOTAL V. SCHOOL	19,729,328	10,675,729	19,729,328	10,675,729	19,729,328	10,675,729	19,729,328	10,675,729
26	EFFECTIVENESS & VIRTUALSC	(117.49)	(93.05)	(117.49)	(93.05)	(117.49)	(93.05)	(117.49)	(93.05)
27									
28	VI. CHIEF FINANCE OPERATIONS								
29	A. FINANCE & OPERATIONS								
30	CLASSIFIED POSITIONS	1,997,686	1,432,056	1,997,686	1,432,056	1,997,686	1,432,056	1,997,686	1,432,056
31		(48.02)	(41.02)	(48.02)	(41.02)	(48.02)	(41.02)	(48.02)	(41.02)
32	OTHER PERSONAL SERVICES	44,201	4,201	44,201	4,201	44,201	4,201	44,201	4,201
33	OTHER OPERATING EXPENSES	1,202,672	843,605	1,202,672	843,605	1,202,672	843,605	1,202,672	843,605
34	AID TO OTHER ENTITIES	5,617	5,617	5,617	5,617	5,617	5,617	5,617	5,617

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**SECTION 1
DEPARTMENT OF EDUCATION**

pg. 3

	2016-2017		2017-2018		2017-2018		2017-2018	
	APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
	TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1 TOTAL A. FINANCE &	3,250,176	2,285,479	3,250,176	2,285,479	3,250,176	2,285,479	3,250,176	2,285,479
2 OPERATIONS	(48.02)	(41.02)	(48.02)	(41.02)	(48.02)	(41.02)	(48.02)	(41.02)
3								
4 B. INSTRUCTIONAL MATERIALS								
5 CLASSIFIED POSITIONS	161,064		161,064		161,064		161,064	
6	(2.00)		(2.00)		(2.00)		(2.00)	
7 OTHER PERSONAL SERVICES	30,000		30,000		30,000		30,000	
8 OTHER OPERATING EXPENSES	1,336,838		1,336,838		1,336,838		1,336,838	
9 TOTAL B. INSTRUCTIONAL	1,527,902		1,527,902		1,527,902		1,527,902	
10 MATERIALS	(2.00)		(2.00)		(2.00)		(2.00)	
11								
12 TOTAL VI. CHIEF FINANCE	4,778,078	2,285,479	4,778,078	2,285,479	4,778,078	2,285,479	4,778,078	2,285,479
13 OPERATIONS	(50.02)	(41.02)	(50.02)	(41.02)	(50.02)	(41.02)	(50.02)	(41.02)
14								
15 VII. OPERATIONS AND SUPPORT								
16 A. SUPPORT OPERATIONS								
17 CLASSIFIED POSITIONS	5,115,998	3,706,759	5,115,998	3,706,759	5,115,998	3,706,759	5,115,998	3,706,759
18	(106.00)	(53.15)	(106.00)	(53.15)	(106.00)	(53.15)	(106.00)	(53.15)
19 OTHER PERSONAL SERVICES	1,878,625	634	1,878,625	634	1,878,625	634	1,878,625	634
20 OTHER OPERATING EXPENSES	10,180,329	1,218,609	10,180,329	1,218,609	10,180,329	1,218,609	10,180,329	1,218,609
21 AID SCHOOL DISTRICTS	23,698	23,698	23,698	23,698	23,698	23,698	23,698	23,698
22 TOTAL A. SUPPORT OPERATIONS	17,198,650	4,949,700	17,198,650	4,949,700	17,198,650	4,949,700	17,198,650	4,949,700
23	(106.00)	(53.15)	(106.00)	(53.15)	(106.00)	(53.15)	(106.00)	(53.15)
24								
25 B. BUS SHOPS								
26 CLASSIFIED POSITIONS	16,604,855	11,604,855	16,604,855	11,604,855	16,604,855	11,604,855	16,604,855	11,604,855
27	(457.62)	(376.02)	(457.62)	(376.02)	(457.62)	(376.02)	(457.62)	(376.02)
28 OTHER PERSONAL SERVICES	485,624	98,102	485,624	98,102	485,624	98,102	485,624	98,102
29 OTHER OPERATING EXPENSES	57,227,331	50,552,331	57,227,331	50,552,331	28,030,508	21,355,508	28,604,202	21,929,202
30 AID TO DISTRICTS	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
31 AID SCHL DIST - BUS DRIVERS'	2,996,195	2,996,195	2,996,195	2,996,195	2,996,195	2,996,195	2,996,195	2,996,195
32 WORKERS' COMP								
33 AID SCH DISTRICT - DRIVER	56,611,213	56,611,213	56,611,213	56,611,213	56,611,213	56,611,213	56,611,213	56,611,213
34 SALARY/F								

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**SECTION 1
DEPARTMENT OF EDUCATION**

pg. 4

		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	AID SCH DISTRICT - CONTRACT	1,023,062	1,023,062	1,023,062	1,023,062	1,023,062	1,023,062	1,023,062	1,023,062
2	DRIVERS								
3	BUS DRV AIDE	129,548	129,548	129,548	129,548	129,548	129,548	129,548	129,548
4	AID OTHER STATE AGENCIES	69,751	69,751	69,751	69,751	69,751	69,751	69,751	69,751
5	TOTAL B. BUS SHOPS	135,647,579	123,585,057	135,647,579	123,585,057	106,450,756	94,388,234	107,024,450	94,961,928
6		(457.62)	(376.02)	(457.62)	(376.02)	(457.62)	(376.02)	(457.62)	(376.02)
7									
8	C. BUSES								
9	EAA TRANSPORTATION	3,153,136	3,153,136	3,153,136	3,153,136	3,153,136	3,153,136	3,153,136	3,153,136
10	EEDA TRANSPORTATION	608,657	608,657	608,657	608,657	608,657	608,657	608,657	608,657
11	BUS PURCHASES	3,015,506	3,015,506	3,015,506	3,015,506	5,015,506	5,015,506	5,015,506	5,015,506
12	TOTAL C. BUSES	6,777,299	6,777,299	6,777,299	6,777,299	8,777,299	8,777,299	8,777,299	8,777,299
13									
14	D. OFFICE OF FIRST STEPS TO SCHOOL READINESS								
15	CLASSIFIED POSITIONS	761,621	67,621	696,621	2,621				
16		(6.00)	(1.00)	(5.00)					
17	OTHER PERSONAL SERVICES	275,000		275,000					
18	OTHER OPERATING EXPENSES	5,003,392		5,003,392					
19	BABYNET	8,331,000	750,000						
20	CDEPP	6,424,200	6,424,200						
21	EMPLOYER CONTRIBUTIONS	240,439	29,689	211,159	409				
22	TOTAL D. OFFICE OF FIRST STEPS TO SCHOOL READINESS	21,035,652	7,271,510	6,186,172	3,030				
23		(6.00)	(1.00)	(5.00)					
24									
25	TOTAL VII. OPERATIONS AND SUPPORT	180,659,180	142,583,566	175,809,700	135,315,086	142,426,705	108,115,233	143,000,399	108,688,927
26		(569.62)	(430.17)	(568.62)	(429.17)	(563.62)	(429.17)	(563.62)	(429.17)
27									
28	VIII. EDUCATION IMPROVEMENT ACT								
29	A. STANDARDS,TEACHING,LEARNING								
30	1. STUDENT LEARNING								
31	CLASSIFIED POSITIONS	58,629		58,629		58,629		58,629	
32	OTHER OPERATING EXPENSES	136,739		136,739		136,739		136,739	
33	MODERNIZE VOCATIONAL EQUIPMENT	13,798,983							
34									

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**SECTION 1
DEPARTMENT OF EDUCATION**

pg. 5

		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	HIGH SCHOOLS THAT WORK	2,146,499							
2	ADULT EDUCATION	15,073,736		15,073,736		15,073,736		15,073,736	
3	TECH PREP	3,021,348							
4	AID TO DISTRICTS	37,386,600		14,386,600		14,386,600		14,386,600	
5	AID TO DISTRICTS- TECHNOLOGY			12,000,000		12,000,000		12,000,000	
6	STUDENT AT RISK OF SCHOOL	79,551,723		82,651,723		79,551,723		79,551,723	
7	FAILURE								
8	STUDENT HEALTH AND FITNESS	6,000,000							
9	ACT - NURSES								
10	ALLOC EIA - ARTS CURRICULA	1,487,571		1,487,571		1,487,571		1,487,571	
11	CAREER & TECHNOLOGY EDUCATION			18,966,830		18,966,830		18,966,830	
12	SUMMER READING CAMPS	1,500,000		7,500,000		7,500,000		7,500,000	
13	READING COACHES	9,922,556		9,922,556		9,922,556		9,922,556	
14	EEDA	8,413,832		8,413,832		8,413,832		8,413,832	
15	TOTAL 1. STUDENT LEARNING	178,498,216		170,598,216		167,498,216		167,498,216	
16									
17	2. STUDENT TESTING								
18	CLASSIFIED POSITIONS	548,518		548,518		548,518		548,518	
19		(9.00)		(9.00)		(9.00)		(9.00)	
20	OTHER OPERATING EXPENSES	678,748		678,748		678,748		678,748	
21	ASSESSMENT/TESTING	27,261,400		24,161,400		27,261,400		27,261,400	
22	TOTAL 2. STUDENT TESTING	28,488,666		25,388,666		28,488,666		28,488,666	
23		(9.00)		(9.00)		(9.00)		(9.00)	
24									
25	3. CURRICULUM & STANDARDS								
26	CLASSIFIED POSITIONS	126,232		126,232		126,232		126,232	
27		(2.00)		(2.00)		(2.00)		(2.00)	
28	OTHER PERSONAL SERVICES	4,736		4,736		4,736		4,736	
29	OTHER OPERATING EXPENSES	41,987		41,987		41,987		41,987	
30	READING	6,542,052		6,542,052		6,542,052		6,542,052	
31	INSTRUCTIONAL MATERIALS	20,922,839		20,922,839		20,922,839		20,922,839	
32	TOTAL 3. CURRICULUM &	27,637,846		27,637,846		27,637,846		27,637,846	
33	STANDARDS	(2.00)		(2.00)		(2.00)		(2.00)	
34									

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**SECTION 1
DEPARTMENT OF EDUCATION**

pg. 6

	2016-2017		2017-2018		2017-2018		2017-2018	
	APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1 4. ASSIST, INTERVENTION & REWARD								
2 CLASSIFIED POSITIONS	1,236,436		1,236,436		1,236,436		1,236,436	
3	(28.35)		(28.35)		(28.35)		(28.35)	
4 OTHER OPERATING EXPENSES	1,374,752		1,374,752		1,374,752		1,374,752	
5 EAA TECHNICAL ASSISTANCE	12,801,301		12,801,301		12,801,301		12,801,301	
6 POWER SCHOOLS/DATA COLLECTION	7,500,000		7,500,000		7,500,000		7,500,000	
7 SCHOOL VALUE ADDED INSTRUMENT			1,400,000		1,400,000		1,400,000	
8 TOTAL 4. ASSIST,	22,912,489		24,312,489		24,312,489		24,312,489	
9 INTERVENTION & REWARD	(28.35)		(28.35)		(28.35)		(28.35)	
10								
11 TOTAL A.	257,537,217		247,937,217		247,937,217		247,937,217	
12 STANDARDS,TEACHING,LEARNING	(39.35)		(39.35)		(39.35)		(39.35)	
13								
14 B. EARLY CHILDHOOD EDUCATION								
15 CLASSIFIED POSITIONS	831,246		831,246		831,246		831,246	
16	(13.50)		(13.50)		(13.50)		(13.50)	
17 OTHER OPERATING EXPENSES	556,592		556,592		556,592		556,592	
18 ALLOC EIA - 4 YR EARLY	15,513,846		15,513,846		15,513,846		15,513,846	
19 CHILDHOOD								
20 CDEPP - SCDE	34,324,437		34,324,437		34,324,437		34,324,437	
21 TOTAL B. EARLY CHILDHOOD	51,226,121		51,226,121		51,226,121		51,226,121	
22 EDUCATION	(13.50)		(13.50)		(13.50)		(13.50)	
23								
24 C. TEACHER QUALITY								
25 1. CERTIFICATION								
26 CLASSIFIED POSITIONS	1,068,102		1,068,102		1,068,102		1,068,102	
27	(25.25)		(25.25)		(25.25)		(25.25)	
28 OTHER PERSONAL SERVICES	1,579		1,579		1,579		1,579	
29 OTHER OPERATING EXPENSES	638,999		638,999		638,999		638,999	
30 TOTAL 1. CERTIFICATION	1,708,680		1,708,680		1,708,680		1,708,680	
31	(25.25)		(25.25)		(25.25)		(25.25)	
32								
33 2. RETENTION & REWARD								
34 TEACHER OF THE YEAR	155,000		155,000		155,000		155,000	

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SECTION 1
DEPARTMENT OF EDUCATION

pg. 7

		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	TEACHER QUALITY COMMISSION	372,724		372,724		372,724		372,724	
2	ALLOC EIA - TEACHER SALARIES	150,823,453		150,823,453		150,823,453		150,823,453	
3	TEACHER SUPPLIES	14,346,000		14,721,500		14,721,500		14,721,500	
4	ALLOC EIA - EMPLOYER CONTRIBUTIONS	18,266,752		22,521,917		26,777,082		22,521,917	
6	INCENTIVE FOR COMPUTER CODING TEACHERS			100,000		100,000		100,000	
8	NATIONAL BOARD CERTIFICATION	54,000,000		51,000,000		51,000,000		51,000,000	
9	RURAL TEACHER RECRUITMENT	9,748,392		9,748,392		9,748,392		9,748,392	
10	TOTAL 2. RETENTION & REWARD	247,712,321		249,442,986		253,698,151		249,442,986	
11									
12	3. PROFESSIONAL DEVELOPMENT								
13	PROFESSIONAL DEVELOPMENT	9,515,911		9,515,911		9,515,911		9,515,911	
14	ADEPT	873,909		873,909		873,909		873,909	
15	TOTAL 3. PROFESSIONAL DEVELOPMENT	10,389,820		10,389,820		10,389,820		10,389,820	
16									
17									
18	4. ADEPT								
19	CLASSIFIED POSITIONS	65,000		65,000		65,000		65,000	
20		(1.00)		(1.00)		(1.00)		(1.00)	
21	TOTAL 4. ADEPT	65,000		65,000		65,000		65,000	
22		(1.00)		(1.00)		(1.00)		(1.00)	
23									
24	TOTAL C. TEACHER QUALITY	259,875,821		261,606,486		265,861,651		261,606,486	
25		(26.25)		(26.25)		(26.25)		(26.25)	
26									
27	D. LEADERSHIP								
28	CLASSIFIED POSITIONS	82,049		82,049		82,049		82,049	
29		(10.77)		(10.77)		(10.77)		(10.77)	
30	OTHER PERSONAL SERVICES	83,121		83,121		83,121		83,121	
31	OTHER OPERATING EXPENSES	279,032		279,032		279,032		279,032	
32	TECHNOLOGY	12,271,826		12,271,826		12,271,826		12,271,826	
33	EMPLOYER CONTRIBUTIONS	1,249,821							
34	TOTAL D. LEADERSHIP	13,965,849		12,716,028		12,716,028		12,716,028	

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SECTION 1
DEPARTMENT OF EDUCATION

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	2016-2017		2017-2018		2017-2018		2017-2018	
	APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
	TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1	(10.77)		(10.77)		(10.77)		(10.77)	
2								
3 E. EIA EMPLOYER CONTRIBUTIONS								
4 EMPLOYER CONTRIBUTIONS			1,249,821		1,249,821		1,249,821	
5 TOTAL E. EIA EMPLOYER			1,249,821		1,249,821		1,249,821	
6 CONTRIBUTIONS								
7								
8 F. PARTNERSHIPS								
9 ETV - K-12 PUBLIC EDUCATION	3,394,281		3,394,281		3,576,409		3,576,409	
10 (H670)								
11 ETV - INFRASTRUCTURE (H670)	2,000,000		2,000,000		2,000,000		2,000,000	
12 LITERACY & DISTANCE LEARNING	415,000		415,000		415,000		415,000	
13 (P360)								
14 REACH OUT & READ (A850)	1,000,000		1,000,000		1,000,000		1,000,000	
15 SC YOUTH CHALLENGE ACADEMY	1,000,000		1,000,000		1,000,000		1,000,000	
16 (E240)								
17 ARTS EDUCATION PROG (H910)	1,000,000		1,070,000		1,070,000		1,070,000	
18 TEACHER PAY (F300)	73,861							
19 EDUCATION OVERSIGHT COMMITTEE (A850)	1,793,242		1,793,242		1,793,242		1,793,242	
20								
21 SCIENCE PLUS (A850)	563,406		563,406		563,406		563,406	
22 STEM CENTERS SC (H120)	1,750,000		1,750,000		1,750,000		1,750,000	
23 TEACH FOR AMERICA SC (A850)	3,000,000		3,000,000		3,000,000		3,000,000	
24 GOVERNOR'S SCHOOL FOR ARTS &	1,192,439		1,355,672		1,355,672		1,355,672	
25 HUMANITIES (H630)								
26 WIL LOU GRAY OPPORTUNITY SCHOOL (H710)	605,294		651,383		651,383		651,383	
27								
28 SCHOOL FOR DEAF & BLIND	7,439,286		7,557,223		7,557,223		7,557,223	
29 (H750)								
30 DIABILITIES & SPECIAL NEEDS	548,653		548,653		548,653		548,653	
31 (J160)								
32 SC COUNCIL ON ECONOMIC EDUCATION (H270)	300,000				300,000		300,000	
33								
34 JOHN DE LA HOWE SC (L120)	417,734				417,734		417,734	

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**SECTION 1
DEPARTMENT OF EDUCATION**

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		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	CLEMSON AGRICULTURE	989,758		989,758		989,758		989,758	
2	EDUCATION TEACHERS (P200)								
3	CENTER FOR EDUCATIONAL PARTNERSHIPS (H270)	715,933		715,933		715,933		715,933	
5	QUAVER MUSIC(SDE)			100,000		100,000		100,000	
6	CENTERS OF EXCELLENCE (H030)	1,137,526		350,000		1,137,526		1,137,526	
7	TEACHER RECRUIT PROGRAM (H030)	4,243,527		4,243,527		4,243,527		4,243,527	
9	TEACHER LOAN PROGRAM (E160)	5,089,881		5,089,881		5,089,881		5,089,881	
10	BABYNET AUTISM THERAPY (J020)			3,926,408		3,926,408		3,926,408	
11	REGIONAL EDUCATION CENTERS (P320)	1,802,000		1,952,000		1,952,000		1,952,000	
13	FAMILY CONNECTION SC (H630)	300,000		300,000		300,000		300,000	
14	GOV SCHOOL FOR MATH & SCIENCE (H630)	719,425		860,442		860,442		860,442	
16	CENTER FOR EDUC RECRUIT, RETEN, & ADV (CERRA) (H470)	531,680		531,680		531,680		531,680	
18	TOTAL F. PARTNERSHIPS	42,022,926		45,158,489		46,845,877		46,845,877	
19									
20	G. TRANSPORTATION								
21	OTHER OPERATING EXPENSES	12,575,684		12,575,684		41,772,506		41,198,813	
22	TOTAL G. TRANSPORTATION	12,575,684		12,575,684		41,772,506		41,198,813	
23									
24	H. CHARTER SCHOOL DISTRICT								
25	CHARTER SCHOOL DISTRICT	81,118,747		100,556,551		100,556,551		100,556,551	
26	TOTAL H. CHARTER SCHOOL DISTRICT	81,118,747		100,556,551		100,556,551		100,556,551	
27									
28									
29	I. FIRST STEPS TO SCHOOL READINESS								
30	CLASSIFIED POSITIONS	2,179,885		2,179,885		2,179,885		2,179,885	
31		(84.50)		(26.50)		(26.50)		(26.50)	
32	UNCLASSIFIED POSITIONS	121,540		121,540		121,540		121,540	
33		(1.00)		(1.00)		(1.00)		(1.00)	
34	OTHER PERSONAL SERVICES	150,000		150,000		150,000		150,000	

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**SECTION 1
DEPARTMENT OF EDUCATION**

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		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS	TOTAL FUNDS	GENERAL FUNDS
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	OTHER OPERATING EXPENSES	1,906,225		1,906,225		1,906,225		1,906,225	
2	COUNTY PARTNERSHIPS	14,435,228		14,435,228		14,435,228		14,435,228	
3	CDEPP	9,767,864		9,767,864		9,767,864		9,767,864	
4	BABYNET AUTISM THERAPY	3,686,408							
5	EMPLOYER CONTRIBUTIONS	1,015,485		775,485		775,485		775,485	
6	TOTAL I. FIRST STEPS TO	33,262,635		29,336,227		29,336,227		29,336,227	
7	SCHOOL READINESS	(85.50)		(27.50)		(27.50)		(27.50)	
8									
9	J. ABBEVILLE EQUITY SCHOOL DISTRICTS CAPITAL IMPROVEMENTS								
10	ABBEVILLE EQUITY SCH DIST			35,139,376		1		4,828,859	
11	CAPITAL IMPROVEMENTS (NR)								
12	TOTAL J. ABBEVILLE EQUITY			35,139,376		1		4,828,859	
13	SCHOOL DISTRICTS CAPITAL IM								
14									
15	TOTAL VIII. EDUCATION	751,585,000		797,502,000		797,502,000		797,502,000	
16	IMPROVEMENT ACT	(175.37)		(117.37)		(117.37)		(117.37)	
17									
18	IX. GOVERNORS SCH SCIENCE & MATH								
19	CLASSIFIED POSITIONS	2,600,068	2,600,068	2,600,068	2,600,068	2,600,068	2,600,068	2,600,068	2,600,068
20		(59.30)	(59.30)	(59.30)	(59.30)	(59.30)	(59.30)	(59.30)	(59.30)
21	UNCLASSIFIED POSITIONS	3,575,711	3,465,711	3,575,711	3,465,711	3,575,711	3,465,711	3,575,711	3,465,711
22		(29.79)	(29.02)	(29.79)	(29.02)	(29.79)	(29.02)	(29.79)	(29.02)
23	NEW POSITION CERTIFIED			172,500	172,500	172,500	172,500	172,500	172,500
24	TEACHER			(3.00)	(3.00)	(3.00)	(3.00)	(3.00)	(3.00)
25	OTHER PERSONAL SERVICES	171,100	68,600	171,100	68,600	171,100	68,600	171,100	68,600
26	OTHER OPERATING EXPENSES	4,694,985	4,215,985	4,709,485	4,230,485	4,709,485	4,230,485	4,709,485	4,230,485
27	ALLOC OTHER ENTITIES	13,200		13,200		13,200		13,200	
28	EMPLOYER CONTRIBUTIONS	1,968,538	1,926,738	2,037,513	1,995,713	2,037,513	1,995,713	2,037,513	1,995,713
29	TOTAL IX. GOVERNORS SCH	13,023,602	12,277,102	13,279,577	12,533,077	13,279,577	12,533,077	13,279,577	12,533,077
30	SCIENCE & MATH	(89.09)	(88.32)	(92.09)	(91.32)	(92.09)	(91.32)	(92.09)	(91.32)
31									
32	X. AID TO SCHOOL DISTRICTS								
33	A. DISTRIBUTION TO SUBDIVISIONS								
34	CDEPP - SCDE	13,099,665	13,099,665	13,099,665	13,099,665	13,099,665	13,099,665	13,099,665	13,099,665

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**SECTION 1
DEPARTMENT OF EDUCATION**

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		2016-2017		2017-2018		2017-2018		2017-2018	
		APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
		TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1	ALLOC SCHOOL DIST	808,180,265		808,180,265		808,180,265		808,180,265	
2	ALLOC OTHER STATE AGENCIES	14,597,340		14,597,340		14,597,340		14,597,340	
3	ALLOC OTHER ENTITIES	13,560,038		13,560,038		13,560,038		13,560,038	
4	TEACHER SUPPLY	600,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000
5	SUMMER READING CAMPS	6,000,000	6,000,000						
6	ADULT ED	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
7	AID SCHOOL DISTRICTS	89,839	89,839	89,839	89,839	89,839	89,839	89,839	89,839
8	STUDENT HEALTH AND FITNESS	20,297,502	20,297,502	26,297,502	26,297,502	26,297,502	26,297,502	26,297,502	26,297,502
9	READING COACHES	29,483,100	29,483,100	29,483,100	29,483,100	29,483,100	29,483,100	29,483,100	29,483,100
10	LUNCH PROGRAM	25,800	25,800	25,800	25,800	25,800	25,800	25,800	25,800
11	EMPLOYER CONTRIBUTIONS - EFA	741,906,879	741,906,879	748,791,496	748,791,496	754,439,942	754,439,942	752,826,100	752,826,100
12	EDUCATION FINANCE ACT	1,728,148,671	1,728,148,671	1,759,392,393	1,759,392,393	1,785,026,138	1,785,026,138	1,777,702,211	1,777,702,211
13	GUIDANCE/CAREER SPECIALIST	31,362,113	31,362,113	31,362,113	31,362,113	31,362,113	31,362,113	31,362,113	31,362,113
14	AID SCHOOL DISTRICT	136,796,735	136,796,735	136,796,735	136,796,735	136,796,735	136,796,735	136,796,735	136,796,735
15	RETIREE INS								
16	TOTAL A. DISTRIBUTION TO	3,544,647,947	2,708,310,304	3,582,776,286	2,746,438,643	3,614,058,477	2,777,720,834	3,605,120,708	2,768,783,065
17	SUBDIVISIONS								
18									
19	B. SPECIAL ALLOCATIONS								
20	STATE MUSEUM (H950)	275,000	275,000	275,000	275,000	275,000	275,000	275,000	275,000
21	VOCATIONAL EQUIPMENT (H710)	39,978	39,978	39,978	39,978	39,978	39,978	39,978	39,978
22	ARCHIVES AND HISTORY (H790)	22,377	22,377	22,377	22,377	22,377	22,377	22,377	22,377
23	STATUS OFFENDER (L120)	346,473	346,473			346,473	346,473	346,473	346,473
24	HANDICAPPED - PROFOUNDLY	85,286	85,286	85,286	85,286	85,286	85,286	85,286	85,286
25	MENTALLY								
26	STUDENT LOAN CORP - CAREER	1,065,125	1,065,125	1,065,125	1,065,125	1,065,125	1,065,125	1,065,125	1,065,125
27	CHANGERS								
28	SC COUNCIL ON HOLOCAUST	54,264	54,264	54,264	54,264	150,000	150,000	150,000	150,000
29	ARCHIBALD RUTLEDGE	10,478	10,478	10,478	10,478	10,478	10,478	10,478	10,478
30	SCHOLARSHIPS								
31	TOTAL B. SPECIAL ALLOCATIONS	1,898,981	1,898,981	1,552,508	1,552,508	1,994,717	1,994,717	1,994,717	1,994,717
32									
33	TOTAL X. AID TO SCHOOL	3,546,546,928	2,710,209,285	3,584,328,794	2,747,991,151	3,616,053,194	2,779,715,551	3,607,115,425	2,770,777,782
34	DISTRICTS								

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**SECTION 1
DEPARTMENT OF EDUCATION**

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	2016-2017		2017-2018		2017-2018		2017-2018	
	APPROPRIATION		HOUSE AMENDED		SENATE		CONFERENCE COMMITTEE	
	TOTAL FUNDS (1)	GENERAL FUNDS (2)	TOTAL FUNDS (3)	GENERAL FUNDS (4)	TOTAL FUNDS (5)	GENERAL FUNDS (6)	TOTAL FUNDS (7)	GENERAL FUNDS (8)
1								
2 XI. GOV SCHL FOR ARTS & HUMANITIES								
3 CLASSIFIED POSITIONS	2,027,979	1,962,979	2,027,979	1,962,979	2,027,979	1,962,979	2,027,979	1,962,979
4	(43.02)	(42.52)	(43.02)	(42.52)	(43.02)	(42.52)	(43.02)	(42.52)
5 NEW POSITION PROGRAM					40,000	40,000	40,000	40,000
6 COORDINATOR II					(1.00)	(1.00)	(1.00)	(1.00)
7 UNCLASSIFIED POSITIONS	2,706,820	2,637,820	2,706,820	2,637,820	2,706,820	2,637,820	2,706,820	2,637,820
8	(33.33)	(32.58)	(33.33)	(32.58)	(33.33)	(32.58)	(33.33)	(32.58)
9 OTHER PERSONAL SERVICES	845,106	526,835	845,106	526,835	845,106	526,835	845,106	526,835
10 OTHER OPERATING EXPENSES	1,496,826	1,046,826	1,624,826	1,174,826	1,624,826	1,174,826	1,624,826	1,174,826
11 EMPLOYER CONTRIBUTIONS	1,946,162	1,843,662	1,946,162	1,843,662	1,959,762	1,857,262	1,959,762	1,857,262
12 TOTAL XI. GOV SCHL FOR ARTS	9,022,893	8,018,122	9,150,893	8,146,122	9,204,493	8,199,722	9,204,493	8,199,722
13 & HUMANITIES	(76.35)	(75.10)	(76.35)	(75.10)	(77.35)	(76.10)	(77.35)	(76.10)
14								
15 XII. FIRST STEPS TO SCH READINESS								
16 CLASSIFIED POSITIONS			65,000	65,000	761,621	67,621	761,621	67,621
17			(1.00)	(1.00)	(6.00)	(1.00)	(6.00)	(1.00)
18 OTHER PERSONAL SERVICES					275,000		275,000	
19 OTHER OPERATING EXPENSES					5,003,392		5,003,392	
20 FIRST STEPS TO SCH READINESS			29,280	29,280	240,439	29,689	240,439	29,689
21 CDEPP-PRIVATE			6,424,200	6,424,200	6,424,200	6,424,200	6,424,200	6,424,200
22 TOTAL XII. FIRST STEPS TO			6,518,480	6,518,480	12,704,652	6,521,510	12,704,652	6,521,510
23 SCH READINESS			(1.00)	(1.00)	(6.00)	(1.00)	(6.00)	(1.00)
24								
25 XIII. EMPLOYEE BENEFITS								
26 EMPLOYER CONTRIBUTIONS	16,225,526	11,012,709	16,225,526	11,012,709	16,225,526	11,012,709	16,225,526	11,012,709
27 TOTAL XIII. EMPLOYEE	16,225,526	11,012,709	16,225,526	11,012,709	16,225,526	11,012,709	16,225,526	11,012,709
28 BENEFITS								
29								
30 TOTAL DEPARTMENT OF	4,576,217,275	2,905,702,480	4,661,969,116	2,943,118,321	4,666,550,293	2,947,699,498	4,658,186,218	2,939,335,423
31 EDUCATION	(1,214.47)	(805.92)	(1,159.47)	(808.92)	(1,160.47)	(809.92)	(1,160.47)	(809.92)

EXHIBIT J

1.58. (SDE: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers ~~will be reimbursed~~ shall be funded for instructional costs at a rate of ~~\$4,323~~ \$4,422 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$550~~ \$563 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool and end of year adjustments shall be based on the one hundred and thirty-five day student average daily membership.

Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December 1. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

EXHIBIT K

1A.82. (SDE-EIA: Abbeville Equity School Districts Capital Improvement Plan) The funds appropriated for the Abbeville Equity School Districts Capital Improvement Plan in Part IA, Section 1, VIII, I, Abbeville Equity School Districts Capital Improvements and by provisos 1.89, 1A.50, 1A.81, and 1A.85 shall be allocated by the Department of Education to eligible school districts for the purpose of funding school facility upgrades. Eligible school districts include any school district that is a plaintiff in the Abbeville law suit or districts with a poverty index of eighty percent or higher. For the purpose of this provision, "school facility" means only facilities necessary for instructional and related supporting purposes including, but not limited to, classrooms, libraries, media centers, laboratories, cafeterias, physical education spaces, related interior and exterior facilities, and the conduit, wiring, and powering of hardware installations for classroom computers or for area network systems. Eligible school facility projects shall include: (a) health and safety upgrades; (b) technology upgrades inside school facilities; (c) upgrades associated with career and technology education programs; and (d) deferred maintenance needs as described in the district's capital improvement plan. For purposes of this provision, school facilities shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

The department shall develop and maintain an application process for school districts to request funding for qualified school projects and establish policies, procedures, and priorities for the making of grants pursuant to this provision. At least twice a year and upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need and shall submit a list of recommended grant awards to the State Board of Education. Grants shall be awarded upon an affirmative vote of the State Board.

The financial assistance provided to school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision.

Following the close of the fiscal year, the department shall submit an annual report of its Abbeville Equity School Districts Capital Improvement Plan activities for the preceding year to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee.

EXHIBIT L

1A.52. (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section VIII.G. - South Carolina Public Charter School District must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year ~~2016-17~~ 2017-18, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant's proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.

EXHIBIT M

3.4. (LEA: FY 2017-18 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2017-18, certified net lottery proceeds and investment earnings for the current fiscal year, including the Fiscal Year 2016-17 certified surplus, are appropriated as follows:

(1) Commission on Higher Education--LIFE Scholarships as provided in Chapter 149, Title 59 \$ 221,843,614;

(2) Commission on Higher Education--HOPE Scholarships as provided in Section 59-150-370 \$ 14,458,578;

(3) Commission on Higher Education--Palmetto Fellows Scholarships as provided in Section 59-104-20 \$ 51,927,301;

(4) Commission on Higher Education and State Board for Technical and Comprehensive Education--Tuition Assistance \$ 47,342,211;

(5) Commission on Higher Education--Need-Based Grants \$ 17,537,078;

(6) Higher Education Tuition Grants Commission--Tuition Grants \$ 8,830,008;

(7) Department of Education--School Bus Lease/Purchase \$ 609,484;

(8) State Board for Technical and Comprehensive Education--Workforce Scholarship Grants \$ 8,000,000;

(9) Higher Education Tuition Grants Commission--SREB Program and Assessments \$ 349,606;

(10) State Board for Technical and Comprehensive Education--Allied Health \$ 3,000,000;

(11) Commission on Higher Education--Technology-Public Four Year Institutions, Two-Year Institutions, and State Technical Colleges \$ 6,500,000;

(12) South Carolina State University \$ 2,500,000;

(13) Department of Education--Reading Partners \$ 400,000;

(14) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 567,473;

(15) State Library--Aid to County Libraries \$ 1; and

(16) State Board for Technical and Comprehensive Education--Military Education, Training and Support Program \$ 1.

For Fiscal Year 2017-18, net lottery proceeds and investment earnings above the Fiscal Year 2016-17 certified surplus are appropriated pro-rata as follows:

(1) Department of Education--School Bus Lease/Purchase \$ 17,500,000;

(2) Commission on Higher Education--Research University STEM Equipment \$ 1,000,000;

(3) State Library--Aid to County Libraries \$ 800,000;

(4) Commission on Higher Education--Carolina Career Clusters Grant (1:1 Match) \$ 300,000;

(5) Commission on Higher Education--Memorial Professorship \$ 50,000; and

(6) State Board for Technical and Comprehensive Education--SPICE Program \$ 250,000.

For Fiscal Year 2017-18, funds certified from unclaimed prizes are appropriated as follows:

(1) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 5,505,000;

(2) Department of Alcohol and Other Drug Abuse Services--Gambling Addiction Services \$ 50,000;

(3) Commission on Higher Education--National Guard Tuition Repayment Program as provided in Section 59-111-75 \$ 4,634,968;

(4) School for the Deaf and the Blind--Technology \$ 200,000;

(5) School for the Deaf and the Blind--Bus/Lease \$ 800,000;

(6) Department of Education--School Bus Lease/Purchase \$ 2,810,032;

and

(7) State Board for Technical and Comprehensive Education--Critical Training Equipment \$ 3,000,000.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2017-18 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate shall be appropriated as follows:

(1) Department of Education--School Bus Lease/Purchase \$ 3,000,000;

(2) Commission on Higher Education--PASCAL \$ 1,500,000; and

(3) Department of Education--School Bus Lease/Purchase remaining balance.

Fiscal Year 2017-18 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2017-18 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2017-18 are fully funded.

If the lottery revenue received for Fiscal Year 2017-18 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

The funds appropriated to State Board for Technical and Comprehensive Education for Workforce Pathways Scholarships and Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education in consultation with the Department of Education, except that funds shall not be used for continuing education courses that do not lead to a degree or professional certificate. Grants may be awarded from the fund in an amount not exceeding ten thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice at a South Carolina technical school or professional certification program. By March fifteenth of the academic year provided, the State Board for Technical and Comprehensive Education shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee containing a list of programs, amount of funding spent per program, number of students that received grants, and the grant amount per student.

Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology) the commission shall allocate the realized funds on a proportional basis as follows:

(1) The Citadel	\$ 265,119;
(2) University of Charleston.....	\$ 554,488;
(3) Coastal Carolina University.....	\$ 494,175;
(4) Francis Marion University.....	\$ 252,940;
(5) Lander University.....	\$ 259,785;
(6) South Carolina State University.....	\$ 238,205;
(7) USC - Aiken Campus.....	\$ 232,679;
(8) USC - Upstate.....	\$ 315,898;
(9) USC - Beaufort Campus.....	\$ 172,940;
(10) USC - Lancaster Campus.....	\$ 129,652;
(11) USC - Salkehatchie Campus.....	\$ 129,652;
(12) USC - Sumter Campus.....	\$ 129,652;
(13) USC - Union Campus.....	\$ 129,652;
(14) Winthrop University	\$ 334,496; and
(15) State Technical Colleges and State Board for Technical and Comprehensive Education.....	\$2,860,667.

Unless otherwise provided herein, each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.

Of the funds appropriated above to the State Board for Technical and Comprehensive Education for "Critical Training Equipment," the State Board shall allocate the realized funds on a proportional basis as follows:

- (1) Aiken Technical College.....\$ 153,422;
- (2) Central Carolina Technical College\$ 160,719;
- (3) Denmark Technical College\$ 81,152;
- (4) Florence-Darlington Technical College\$ 167,588;
- (5) Greenville Technical College\$ 262,438;
- (6) Horry-Georgetown Technical College\$ 207,701;
- (7) Midlands Technical College.....\$ 215,503;
- (8) Northeastern Technical College.....\$ 125,460;
- (9) Orangeburg-Calhoun Technical College\$ 324,216;
- (10) Piedmont Technical College.....\$ 194,843;
- (11) Spartanburg Community College\$ 168,289;
- (12) Technical College of the Lowcountry.....\$ 137,227;
- (13) Tri-County Technical College\$ 187,241;
- (14) Trident Technical College\$ 328,138;
- (15) Williamsburg Technical College\$ 117,874; and
- (16) York Technical College\$ 168,189.

Funds appropriated within this provision to the State Board for Technical and Comprehensive Education for Technology and/or Critical Training Equipment may be utilized in whole or in part for repair or replacement of Allied Health related equipment at the discretion of each individual technical college.

Of the funds appropriated to the Commission on Higher Education for Research University STEM Equipment, the commission shall disburse the funds to Clemson University, the University of South Carolina-Columbia, and the Medical University of South Carolina proportionally based on each institution's proportion of general fund appropriation in Part 1A of Act 284 of 2016 as compared to the general fund appropriation in that Act for the three institutions in total.

Of the funds appropriated to the Commission on Higher Education for Carolina Careers Cluster Grant (1:1 match), upon application by an eligible institution as defined in this paragraph, the commission shall equally disburse funds to eligible independent HBCU's domiciled in this State that were each recipients of a single competitive grant from a private sector endowment of not less than \$1,000,000 in the immediately preceding fiscal year, the proceeds of which are intended to better prepare students for employment in high paying job clusters across the State. Funds must be spent on students and/or student support services directly related to the private sector grantor's initiative and for no other purpose. Prior to disbursement, the commission shall verify that an eligible institution will provide no less than a 1 to 1 match of the funds to be disbursed.

Funds appropriated to the Department of Education for Reading Partners shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low performing schools in grades K-5. The Office of Early Learning and Literacy shall specify planning criteria to be submitted by Reading Partners no later than July 15 of the current fiscal year. Planning criteria shall include, but is not limited to, pre and post assessment data, parental and family literacy engagement, summer learning support and building school level capacity for intervention. The department shall report to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee and the Chairman of the House Education Committee by June 15, 2018 on the impact of the program.

Of the funds appropriated to the Commission on Higher Education for Memorial Professorship, the Commission shall disburse the funds to the State's only non-profit, four-year comprehensive institution of higher learning that was first established as a college in 1908, provided that the college is SACS accredited and has at least forty percent or more minority enrollment. The college must utilize the funds in support for a memorial professorship(s) for the purpose of helping the college recruit and retain faculty members whose research, teaching and service uniquely contribute to the mission of the college.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for SPICE Program, the board shall transfer the funds to Greenville Technical College, upon which the college, from the entirety of the funds allocated to it pursuant to this Act, must dedicate no less than \$250,000 annually towards the creation and/or maintenance of a "Self-Paced In-Classroom Education" (SPICE) program designed to prepare eligible citizens for re-entry into the workforce through gainful employment in skilled and other professions.

EXHIBIT N

1A.84. (SDE-EIA: Aid to Districts-Technology) Funds appropriated to the Department of Education for Aid to Districts - Technology shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.

The Department of Education may adjust the per-ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per-ADM rate for each class is adjusted by the same percentage.

Funds distributed to a school district may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by 2017; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by 2017; or (3) To develop or expand one-to-one computing initiatives.

A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.

Funds appropriated may not be used to supplant existing school district expenditures on technology. By June 30, 2018, each school district that receives funding during Fiscal Year 2017-18 must provide the K-12 Technology Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Committee shall support school districts' efforts to obtain these reimbursements.