

## Legislative Update April 21, 2023

### SC Educator Assistance Act

On Tuesday, the House Education K-12 Subcommittee debated [H. 4280](#), the Educator Assistance Act. This bill contains three sections that would have a direct impact on school districts, schools, and teachers:

- **Section 2** states that *“A professional certificate issued by the State Board of Education is permanent unless revoked or suspended and is permanent unless revoked or suspended and is not subject to renewal. No teacher may be required to renew a professional certificate issued by the board.”* Per subcommittee discussion, without a state renewal mandate of 120 hours, professional development and the amount required would be at the discretion of the school district. Additionally, enacting this provision would not require teachers who have an extended break in service to participate in professional development regarding changes in educational policy or pedagogy during their absence prior to reentering the teaching profession.
- **Section 4** specifies that teachers who submit their contract to a school district prior to May 11 would have 10 days after the district publishes its salary schedule for the coming school year to withdraw his/her acceptance of his contract and the district is prohibited from reporting the withdrawal as a breach of contract.
- **Section 5** amends the period for the suspension of an educator’s certificate for breach of contract to begin on the date the contract is breached through a period of time deemed appropriate by the State Board of Education but not to exceed six months.

SCASA submitted testimony which highlighted concerns over sections 2 and 4 of the bill. The subcommittee gave the bill a favorable report. It moves to the full committee for further review.

Two additional bills were on the agenda of the subcommittee. The next bill discussed was [H. 4100](#), which mandates the consolidation of school districts by counties so that no county would have more than one school district. The bill requires the consolidations to take place by July 1, 2025. The primary sponsor of the bill was ill and unable to attend the meeting, so the motion was made to adjourn debate on the bill. One remaining bill, [S. 256](#), was given a favorable report by the subcommittee. It directs that public schools may not prohibit the possession or personal use of sunscreen. Having received a favorable report, the bill moves to the full committee for further consideration.

### Senate Budget Debate

Just as with the House, the Senate passed its version of the Appropriations Act with a record setting pace. The Senate finished its budget proposal in approximately 1.5 days. No changes related to education were made to the funding provisions previously reported and only two education related provisos were adopted:

New: (SDE: Cash for Admissions) For the current fiscal year, any school district or school that receives funds appropriated in this act must accept cash as a payment option for admission to extracurricular activities.

New: (JROTC Program) By February 1, 2024, the Department of Education, in collaboration with the Department of Veterans' Affairs, the Adjutant General, and the Education Oversight Committee, shall submit a report to the General Assembly, the Governor, and the State Board of Education on the status of JROTC program offerings in South Carolina public schools. The report shall include recommendations for expanding JROTC program offerings to more South Carolina students.

## **Paid Parental Leave**

The Senate Finance K-12 Subcommittee met to discuss [H. 3908](#), which mandates school districts to provide paid parental leave for all full-time employees. The bill provides eligible school district employees who are primarily responsible for furnishing the care and nurture of the child with 6 weeks of paid parental leave at 100 percent of the employee's base pay for the birth or adoption of a child. It also mandates two weeks of paid parental leave for the co-parent of a newborn or adopted child or following placement of a foster care child.

The subcommittee heard testimony in support of providing paid parental leave and outlining the additional costs that school districts would incur based on the four districts currently offering paid parental leave to their employees. The committee indicated that the cost for the program could be absorbed by the district or paid for using the school district's fund balance. The senators amended the bill with minor language clarifications and changed the effective date to 45 days after the Governor's approval. The bill was reported favorably as amended out of the subcommittee.

## **Ratified Acts Ready for Governor's Signature**

(R13, [H. 3312 \(Word version\)](#)) -- Reps. Haddon, Hixon, Forrest, Trantham, Chumley, Cobb-Hunter and Williams: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE", TO PROVIDE FOR THE PURPOSES AND MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

(R14, [H. 4215 \(Word version\)](#)) -- Rep. Hyde: AN ACT TO AMEND ACT 106 OF 2015, RELATING TO THE ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED

AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

(R15, [H. 4216 \(Word version\)](#)) -- Rep. Hyde: AN ACT TO AMEND ACT 107 OF 2015, RELATING TO THE ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

(R11, [S. 654 \(Word version\)](#)) -- Senator Hutto: AN ACT TO CONSOLIDATE BARNWELL SCHOOL DISTRICT 45, BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, AND BARNWELL COUNTY SCHOOL DISTRICT 80 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY SCHOOL DISTRICT; TO ABOLISH BARNWELL COUNTY SCHOOL DISTRICT 45, BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, AND BARNWELL COUNTY SCHOOL DISTRICT 80 ON JULY 1, 2024; TO PROVIDE THAT THE BARNWELL COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF FIVE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BARNWELL COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2024 GENERAL ELECTION, EACH OF THE FIVE MEMBERS OF THE BARNWELL COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS AS DELINEATED ON A DESIGNATED MAP NUMBER ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE; TO PROVIDE THAT THE MEMBERS OF THE BARNWELL COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE DEMOGRAPHIC INFORMATION FOR THE NEWLY DRAWN ELECTION DISTRICTS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2024 AND 2025; AND TO PROVIDE THAT BEGINNING IN 2026, THE BARNWELL COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.