

March 19, 2021

## Legislative Recap A Look Back at Week 10



With the exception of one House committee meeting, this was a light week for education policy in the General Assembly as the House (open carry legislation) and Senate (waste recycling) spent the majority of their time on other issues. In addition, most legislative business was cancelled on Thursday due to the threat of severe weather.

### South Carolina House of Representatives

#### *Committee Actions*

On Tuesday, the full House Education and Public Works Committee met and spent nearly 2 hours discussing education legislation:

- [H. 3590](#)- this bill would allow districts to fill unfilled teaching vacancies with non-certified individuals with specific educational and work experiences. **PSTA testified against this bill in subcommittee and opposes its passage into law.** There was extended debate on this bill, with some members expressing concern about what happens in a situation where a district extends employment to a non-certified individual and later receives a certified applicant. In particular, Rep. Case Brittain expressed concern, stating, "I would rather have a certified person (in the position)." Rep. Brittain was the sole abstention when voting on amendments to the legislation, but **the committee voted 18-0 to issue a favorable report on the bill and pass it to the full House. PSTA will continue to oppose this legislation and calls on members to reach out to their member of the House as indicated in Wednesday's Action Alert email (see the final section of this email for more information).**
- [H. 3941](#)- this legislation directs districts to use federal relief dollars to provide extended paid leave to school staff that are required to miss work due to contracting COVID-19 or quarantining as a result of potential exposure to COVID-19. The federal paid leave provisions expired at the end of 2020, and this legislation directs districts to reinstitute that extended leave through the end of 2021. PSTA offered testimony in support of this bill in subcommittee. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3795](#)- this bill would establish credentialing requirements for sign language interpreters employed by various state agencies, including public school districts. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3883](#)- this bill would expand the capacity of a district or school to seek necessary waivers from state policies in order to implement a "competency-based" education model. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3164](#)- this bill would allow homeschool students to participate in testing at public schools for AP, PSAT, Pre-ACT, and college and career readiness assessments required by state law. Homeschool students would be required to pay the same "fees, if any, charged to public school students for the same

service.” **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**

- [H. 3319](#)- this bill would prohibit schools from denying meal access to students that have a negative balance due to previous meals. Schools would also not be allowed to penalize students for failing to pay for a school lunch through means such as prohibiting participation in field trips, graduation ceremonies, or attending other academically related activities. PSTA offered testimony in support of this bill in subcommittee. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3614](#)- this bill would require all students to complete the FAFSA during their senior year of high school. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3465](#)- as amended by subcommittee, this bill would establish a study commission to review certification requirements, including those for teachers for more than 20 years of experience. PSTA is advocating for an amendment to the bill that would require inclusion of current classroom teachers on the study committee. **The bill received a favorable committee report by vote of 18-0 and was sent to the full House.**
- [H. 3332](#)- this bill, as amended by subcommittee, would establish a study committee to develop guidelines for the infusion of "critical thinking and media literacy skills" into the standards for grades K-12. The bill received a substantial amount of debate, with two Representatives- Adam Morgan and Paula Calhoon- indicating their hesitancy to support the bill out of a desire to avoid adding one more thing to the plates of teachers. **The committee unanimously voted to adjourn debate on the bill, which means it could be scheduled for further committee discussion, but it will not be forwarded to the full House at this time.**

Also on Tuesday, a House Ways and Means Subcommittee met and discussed two education-related bills:

- [H. 3144](#)- would create the Workforce Industry Needs (WIN) Scholarship. This scholarship would provide up to \$2500 toward the cost of a 2-year degree program linked to "critical workforce needs" to cover any tuition costs not covered by a student's Pell or lottery scholarship awards. The scholarship would also be available to high school students in dual enrollment courses to cover any fees or costs associated with the course. **The bill was unanimously supported by the subcommittee and sent to the full committee with a favorable report.**
- [H. 3891](#)- this bill would provide an income tax credit to internet providers that provide broadband at a discount for families for educational purposes. The subcommittee members spoke strongly of the need to expand broadband access, but they wanted to learn more about how the bill would fit into the other broadband expansion bills currently in the General Assembly. As a result, the subcommittee carried over the bill to their next meeting in order to gain more information.

### ***Floor Action***

The most significant education-related action on the House floor this week occurred on Wednesday when the House took up debate of **H. 3589**. This bill would amend existing state statute to allow districts (with approval from the State Board of Education) to form multiple "schools of innovation" that could be exempt from some state statutes or regulations. The Senate also passed a version of this bill (S. 202), and last week, the Senate used a procedure called "strike and insert" where the Senate struck out all portions of H. 3589 and inserted the Senate version of the bill. PSTA believes the Senate version of the legislation is much stronger than the House version, particularly due to the inclusion of an amendment suggested by PSTA in the Senate that would require local school boards to "ensure transparent and timely reporting of

fiscal and academic performance for each school of innovation." On Wednesday, the House made a few amendments to the Senate version of H. 3589 and, by vote of 106-1, sent the bill back to the Senate. The Senate can now either concur with the House's actions or request a conference committee to develop a final version of the bill. PSTA supports passage of H. 3589 by the Senate in its current form.

On Tuesday, the House adjourned debate on **H. 3588** until April 8th. The bill would require students to take a credit in English and a credit in math or computer science during their senior year in order to receive the LIFE Scholarship.

On Thursday, the House accepted the committee reports on all the bills approved by the EPW Committee earlier in the week. This bills are now eligible for House floor debate, but the earliest they would be debated is most likely the first week in April.

## **South Carolina Senate**

### ***Committee Action***

On Tuesday, a Senate Finance Subcommittee met to receive information concerning the South Carolina Retirement System (SCRS). The presenters all indicated that SCRS is in a much stronger financial position than it was prior to 2017, when the legislature increased the employer contribution requirements. The committee accepted the recommendation provided that SCRS operate on an assumption of a 7% annual rate of return on the system's investment portfolio (which is currently valued at more than \$31 billion). The 7% rate of return is a more conservative/lower projected rate of return than what the system operated on for much of the past decade. The individuals that presented to the subcommittee indicated that SCRS would not face a short or long-term solvency threat with a 7% rate of return.

### ***Floor Action***

On Wednesday, the Senate passed on third reading **S. 607**, which would give the Governor the same power to remove charter school board members for unethical or illegal activities as the powers that another piece of legislation is seeking to give to the Governor concerning members of local school boards. The bill now heads to the House.

Also on Wednesday, [S. 676](#) was introduced and sent to the Senate Education Committee for review. This legislation would create "Education Savings Accounts" (vouchers) that would be funded by reappropriating state funds originally directed to local school districts. The [bill is similar in scope to H. 3976](#), but there are some technical differences in the legislation. PSTA opposes passage of both pieces of legislation and will keep members updated on the progress of the legislation as well as how to advocate against this legislation.

Also on Wednesday, the Senate moved two education bills to the contested calendar- **S. 202** (giving the State Inspector General oversight authority over local school districts) and **S. 615** (allowing private school students to participate in high school league sports). Senators expressed a desire for amendments to both pieces of legislation during committee review, so it is likely the bills will return to the floor for debate once Senators develop the desired amendments.

## **Governor McMaster**

On Tuesday, Governor McMaster signed **H. 3608** into law. This law will appropriate \$9 million from state reserve funds to the state's public charter schools to address funding shortfalls for the 2020-2021

resulting from increased student enrollment. The law includes a provision that the funds can not be used for administrative pay increases.

## Legislative Preview A Look at the Week Ahead



The announced education-related legislative actions for the coming week as of the time of this email:

### House

The House will be focused almost exclusively this week on the state budget for FY22, starting with a special Monday afternoon session starting at 1:00. The state budget has been set for "special order" in the coming week, meaning it will be the first and sole legislative focus until it receives a final vote in the House. As a result, there currently are not any education-related committee meetings scheduled in the House.

The House will be working from the budget approved by the Ways and Means Committee two weeks ago. As a reminder, Ways and Means Chairman Murrell Smith has dubbed this a "pandemic budget" that maintains current spending levels on the vast majority of state programs due to continued uncertainty about state revenues due to the economic impact of the pandemic. If you're interested (and have a lot of time!), the full [Ways and Means budget can be found here](#). However, Chairman Smith has pledged to restart the budget process in late April or early May if the state has strong revenue projections in mid-April. For now, education-related programs are actually inline to receive a sizable portion of the limited number of increased spending areas, including:

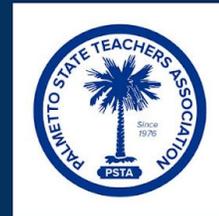
- **An increase in the state aid to classrooms (Base Student Cost) from \$2489 to \$2500.**
- **An additional \$23 million in state aid to classrooms from carry-forward (unspent) money from the prior year.** This money, combined with the increase in base-student cost, increases per pupil appropriations to districts sufficient to cover, at minimum, teacher step increases for the 2021-2022 school year. As noted by Chairman Smith, "the worst case scenario (for salaries) is teachers are going to still receive their step increase." **NOTE- this is for the coming 2021-22 school year. The retroactive step increase for 2020-21 is already signed into law and should be received by eligible individuals by no later than June 15th.**
- **\$5.5 million for school nurses-** this should fund a full-time school nurse in every school
- **\$10.2 million increase for full-day 4K-** this will allow approximately 600 more students to enroll in 4K
- **\$15 million increase for charter schools**

- **\$2 million for School Resource Officers-** this will not fund a SRO in every school
- **\$1 million increase for Teaching Fellows-** this would stabilize the funding for Teaching Fellows and increase the number of Teaching Fellows offered each year from 200 to approximately 215
- **\$30 million to continue state broadband expansion**
- **\$48.4 million for instructional materials-** mix of recurring, non-recurring, and lottery funds

## Senate

On Wednesday, the Senate K-12 Finance Subcommittee will meet as part of their ongoing hearings to receive budget requests from state agencies. This week the subcommittee will hear requests from the state's public charter school districts, which will present the same requests they made to the House Ways and Means Committee several weeks ago.

# Membership Advocacy Suggestions for the Week Ahead



1. **Contact Member of House to Oppose H 3590-** Earlier this week, PSTA sent out an Action Alert email asking members to advocate against passage of H. 3590 by the full House. The full [text of that Action Alert can be found here](#), including information about the legislation and talking points against its passage into law. If you have not already done so, please call or write your member of the House asking them to oppose passage of H. 3590. To find contact information for your member of the House, please [click here and enter your mailing address](#).
2. **Provide Feedback to PSTA-** Throughout the legislative session, PSTA staff will be providing testimony whenever possible for committee review of education-related legislation. In order to ensure that testimony is aligned to the experiences and concerns of our members, we have created a [feedback form for membership](#) to share their thoughts on upcoming legislation. PSTA staff would love to hear from you!
3. **Follow PSTA on Twitter-** For quick access to a concise record of who said what during debate in the General Assembly, please consider following PSTA on Twitter- @PSTANews.