**South Carolina General Assembly**

125th Session, 2023-2024

**S. 862**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Shealy and Gustafson

Document Path: SR-0106JG23.docx

Introduced in the Senate on January 9, 2024

Introduced in the House on February 27, 2024

Last Amended on February 21, 2024

Currently residing in the Senate

Summary: DSS - Childcare Center Caregiver

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2023 Senate Prefiled

11/30/2023 Senate Referred to Committee on **Family and Veterans' Services**

1/9/2024 Senate Introduced and read first time

1/9/2024 Senate Referred to Committee on **Family and Veterans' Services**

2/14/2024 Senate Committee report: Favorable with amendment **Family and Veterans' Services** ([Senate Journal‑page 9](h:\sj\20240214.docx))

2/20/2024 Senate Committee Amendment Adopted ([Senate Journal‑page 12](h:\sj\20240220.docx))

2/20/2024 Senate Read second time ([Senate Journal‑page 12](h:\sj\20240220.docx))

2/20/2024 Senate Roll call Ayes-27 Nays-17 ([Senate Journal‑page 12](h:\sj\20240220.docx))

2/21/2024 Senate Amended ([Senate Journal‑page 13](h:\sj\20240221.docx))

2/21/2024 Senate Read third time and sent to House ([Senate Journal‑page 13](h:\sj\20240221.docx))

2/21/2024 Senate Roll call Ayes-44 Nays-0 ([Senate Journal‑page 13](h:\sj\20240221.docx))

2/27/2024 House Introduced and read first time ([House Journal‑page 30](h:\hj\20240227.docx))

2/27/2024 House Referred to Committee on **Education and Public Works** ([House Journal‑page 30](h:\hj\20240227.docx))

4/25/2024 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 21](h:\hj\20240425.docx))

5/2/2024 House Debate adjourned until Tues., 5-7-24

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=862&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/862_20231130.docx)

[02/14/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/862_20240214.docx)

[02/20/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/862_20240220.docx)

[02/21/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/862_20240221.docx)

[04/25/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/862_20240425.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 25, 2024

S. 862

Introduced by Senators Shealy and Gustafson

S. Printed 04/25/24--H.

Read the first time February 27, 2024

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The committee on House Education and Public Works

To whom was referred a Bill (S. 862) to amend the South Carolina Code of Laws by amending Section 63‑13‑30, relating to caregiver requirements, so as to provide for educational and pre‑service training, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass with amendment:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-30(A) and inserting:

(A) A caregiver who begins employment in a licensed or approved childcare center in South Carolina after June 30, 1994, must have at least a high school diploma or General Educational Development (GED), a high school equivalency credential recognized by the State Board of Education, Certificate of Completion, or a South Carolina High School Employability Credential and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility. Within six three months thirty days of being employed, a caregiver must have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facilitycomplete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised for a period of at least thirty days by a staff person with at least one year of experience as a caregiver in a licensed or approved childcare facility and until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

Amend the bill further, SECTION 1, by striking Section 63-13-30(B) and inserting:

(B) A caregiver who has two years' a high school diploma, a high school equivalency credential recognized by the State Board of Education, Certificate of Completion, or a South Carolina High School Employability Credential and at least six months’ experience as a caregiver in a licensed or approved facility and is employed as of July 1, 1994, in a licensed or approved childcare center in South Carolina is exempt from the high school diploma and General Educational Development (GED) requirements of subsection (A).

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 63-13-20 (7), (22), (23), and (26) of the S.C. Code is amended to read:

(7) “Complaint” means a written statement reporting as defined in 45 CFR 98.33(a)(4) that reports unsatisfactory conditions in a childcare facility but does not include a self-reported incident made by an agent or representative of the facility.

(22) “Regular approval” means a written notice issued by the department for a two-year three-year period to a department, agency, or institution of the State, or a county, city, or other political subdivision, approving the operation of a public childcare center or group childcare home in accordance with the provisions of the notice, this chapter, and the regulations of the department. The department shall begin issuing the written notices for regular approval beginning with the calendar year 2025.

(23) “Regular license” means a license issued by the department for two three years to an operator of a private childcare center or group childcare home or a family childcare home which elects to be licensed showing that the licensee is in compliance with the provisions of this chapter and the regulations of the department at the time of issuance and authorizing the licensee to operate in accordance with the license, this chapter, and the regulations of the department. The department shall begin issuing the written notices for regular approval beginning with the calendar year 2025.

(26) “Renewal” means in regard to childcare centers and group childcare homes, to grant an extension of a regular license or regular approval for another two-year three-year period provided an investigation of such facilities verifies that they are in compliance with the applicable regulations, in regard to family childcare homes, to place the name of the operator on the registration list for another year provided procedures indicated in this chapter have been completed. The department shall begin issuing the written notices for regular approval beginning with the calendar year 2025.

SECTION X. Article 1, Chapter 13, Title 63 of the S.C. Code is amended by adding:

Section 63-13-125. (A) An operator of a private childcare facility and any person employed by or who contracts with an operator of a private childcare facility to provide direct childcare, annually shall complete and provide documentation to the Department of Social Services of a minimum of fifteen hours of training approved by the department. Individuals who have operated, or been employed by, a private childcare facility for more five years are required to receive a minimum of ten hours of training per year. Individuals who have operated, or been employed by, a private childcare facility for more than twenty years are exempt from this requirement except for required health and safety training.

(B) The Office of First Steps to School Readiness, the South Carolina Department of Education, and the Department of Social Services may offer up to five hours of the ten hours virtually each year.

Renumber sections to conform.

Amend title to conform.

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill amends code relating to caregiver requirements to allow an individual who has a Certificate of Completion or a South Carolina High School Employability Credital to work in a licensed or approved childcare center in South Carolina. Further, this bill removes the requirement that an individual must either have at least six months’ experience as a caregiver in a licensed or approved childcare facility or be directly supervised for six months by a staff person with at least one year of experience as a caregiver in a licensed or approved childcare facility. Additionally, this bill states that within three months of being employed, a caregiver must complete fifteen hours of health and safety pre-service training. A caregiver who has a high school diploma, GED, Certificate of Completion, or a South Carolina High School Employability Credential and at least six months’ experience as a caregiver in a licensed or approved facility is not required to complete the fifteen hours of health and safety pre-service training.

DSS anticipates that this bill will have no expenditure impact on the agency as this bill does not alter the responsibilities of the agency.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63‑13‑30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE‑SERVICE TRAINING REQUIREMENTS.

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

SECTION 1. Section 63‑13‑30 of the S.C. Code is amended to read:

Section 63‑13‑30. (A) A caregiver who begins employment in a licensed or approved childcare center in South Carolina after June 30, 1994, must have at least a high school diploma or, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility. Within six three months five days of being employed, a caregiver must have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facilitycomplete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised for a period of at least thirty days by a staff person with at least one year of experience as a caregiver in a licensed or approved childcare facility and until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

(B) A caregiver who has two years' a high school diploma, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential and at least six months’ experience as a caregiver in a licensed or approved facility and is employed as of July 1, 1994, in a licensed or approved childcare center in South Carolina is exempt from the high school diploma and General Educational Development (GED) requirements of subsection (A).

SECTION 2. This act takes effect five business days after approval by the Governor.

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