

**1A.20.** (SDE-EIA: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance to schools with an absolute rating of below average or at-risk on the most recent annual school report card must be allocated according to the severity of not meeting report card criteria.

Schools receiving an absolute rating of below average or at-risk must develop and submit to the Department of Education a school renewal plan outlining ~~how technical assistance allocations will be utilized and goals for improvements will be obtained.~~ Each Of the technical assistance funds allocated to below average or at-risk schools each allocation must address specific strategies designed to increase student achievement and must include measures to evaluate success. The school renewal plan may include expenditures for recruitment incentives for faculty and staff, performance incentives for faculty and staff, assistance with curriculum and test score analysis, professional development activities based on curriculum and test score analysis that may include daily stipends if delivered on days outside of required contract days. School expenditures of technical assistance shall be monitored by the Department of Education.

With the funds appropriated to the Department of Education for technical assistance services, the department will assist schools with an absolute rating of below average or at-risk in designing and implementing technical assistance school renewal plans and in brokering for technical assistance personnel as needed and as stipulated in the plan. In addition, the department must monitor student academic achievement and the expenditure of technical assistance funds in schools receiving these funds and report their findings to the General Assembly and the Education Oversight Committee by January first of each fiscal year as the General Assembly may direct. If the Education Oversight Committee or the department requests information from schools or school districts regarding the expenditure of technical assistance funds pursuant to evaluations, the school or school district must provide the evaluation information necessary to determine effective use. 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.

~~The department shall coordinate with and monitor the services provided by the School Improvement Council Assistance and the Writing Improvement Network to the schools. Based on criteria jointly determined by the department and the Education Oversight Committee, the School Improvement Council Assistance and the Writing Improvement Network must submit external evaluations to the Education Oversight Committee at least once every three years.~~

No more than five percent of the total amount appropriated for technical assistance services to schools with an absolute rating of below average or at-risk may be retained and expended by the department for implementation and delivery of technical assistance services. Using previous report card data, the department shall identify priority schools. Up to **\$13,000,000** ~~\$6,000,000~~ of the total funds appropriated for technical assistance shall be used by the department to work with those schools identified as priority schools. **Of this amount, \$750,000 may be used for after-school or summer enrichment programs focused on dropout prevention for at-risk students.**

The department will create a system of levels of technical assistance for schools that will receive technical assistance funds. The levels will be determined by the severity of not meeting report card criteria. The levels of technical assistance may include a per student allocation, placement of a principal mentor, replacement of the principal, and/or reconstitution of a school.

Reconstitution means the redesign or reorganization of the school, which includes the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo a formal 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

**(Zero-Based Budgeting)** The Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee shall choose three budget areas of the General or Other funds budget and shall entertain proposals from any certified public accounting firm who may propose a zero-based budget analysis. Zero-based analysis means the analysis by the CPA firm must study the designated areas at the most fundamental level of expenditure and function. The CPA analysis will report possible savings, as well as any determinations of whether savings or efficiencies can be generated by any other method such as merger or elimination of positions, to the Senate Finance Committee and the House Ways and Means Committee. If the legislature adopts any of the recommendations within two years, the State Auditor shall determine the savings to the state by implementation of the proposal and shall direct the State Treasurer to pay the CPA firm which performed the study and made the proposal ten percent of the savings realized due to the implementation of the proposal.

**SENATOR MATTHEWS  
PROVISO REQUEST**

Public four-year higher education institutions shall remit to the Commission on Higher Education fifty percent of non-resident of South Carolina student tuition and fees in excess of educational and general expenses. This requirement does not apply to institutions whose non-resident enrollment comprises twenty percent or less of the total enrollment. The remittance shall be based on the number of full-time equivalent, non-resident students that exceeds twenty percent of the institution's total enrollment. The Commission on Higher Education must use the funding for need-based grants at public four-year institutions. Unexpended funds provided pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purpose.

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## Senator Jackson

NEW PROVISIO TO REQUIRE ANY NON-PROFIT ORGANIZATION THAT RECEIVES STATE FUNDS AND EMPLOYS A MEMBER OF THE GENERAL ASSEMBLY TO ANNUALLY REPORT THE MEMBER'S NAME, TERMS OF EMPLOYMENT AND COMPENSATION TO THE HOUSE AND SENATE ETHICS COMMITTEES AND TO THE STATE ETHICS COMMISSION.

89.gam. (GP: General Assembly Member's Non-Profit Employment) If a member of the General Assembly is employed by a non-profit organization that receives funding from the state, the non-profit organization must annually provide to the Senate Legislative Ethics Committee, House Legislative Ethics Committee, and State Ethics Commission the member's name, terms of employment, and compensation. /

## Senator Alexander

Amend the proviso adopted by the Subcommittee to reflect the FY 2010-11 base appropriation which is then subject to a proportional reduction for the percentage of any base reduction included in the final version of the FY 11-12 Appropriation Act.

15.cam. (USC: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than ~~\$600,000~~ 576,160 shall be expended for the Child Abuse and Neglect Medical Response Program. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

## Senators Cromer & Alexander

AMEND PROVISO TO REQUIRE A MAXIMUM 15 DAY REVIEW AND RESPONSE PERIOD INSTEAD OF THE MINIMUM 30 DAY PERIOD AND TO PROHIBIT THE DEPARTMENT FROM IMPLEMENTING A RATE REDUCTION OR FEE INCREASE UNTIL A MAXIMUM OF 45 DAYS HAS ELAPSED INSTEAD OF A MINIMUM 60 DAY PERIOD.

*Requested by DHHS*

21.npm. (DHHS: Notice of Proposed Rate Reductions or Fee Increases) The Department of Health and Human Services may not reduce Medicaid provider rates or increase Medicaid fees, until the department has provided notice of the proposed rate reduction or fee increase and has given a minimum of thirty days from the date of notification for written comments to be submitted. Following this thirty day comment period, the department must take a ~~minimum of thirty~~ **maximum of 15** days to review and respond to the comments received. The department must not implement a provider rate reduction or fee increase until a ~~minimum of sixty~~ **maximum of forty-five** days has elapsed from the date of notification ~~or the amount of time allowed for commenting and reviewing and responding to the comments has elapsed, whichever is longer.~~

This does not restrict the annual updating of cost base rates and those rates which are indexed to methodologies provided for in the Medicaid State Plan.

**K-12 EDUCATION SUBCOMMITTEE RECOMMENDATION:** AMEND new proviso to distribute the funds based on the EFA formula rather than on the number of weighted pupil units.

*IA.48. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, XI.A.1 Aid to Districts shall be dispersed to school districts based on the ~~number of weighted pupil units~~ **Education Finance Act formula.***

**45.cia** ADD new proviso to authorize the Attorney General to investigate claims and allegations related to insurance fraud. Allow the Attorney General to retain, expend, and carry forward up to \$500,000 collected from fines associated with these investigations. Require fines collected in excess of \$500,000 be remitted to the General Fund.

*45.cia. (AG: Criminal Insurance Activity Investigations) The Office of the Attorney General is authorized to thoroughly investigate all claims or allegations of violations of Sections 38-55-170 and 38-55-540 and related criminal insurance activity pursuant to Section 38-55-560 of the 1976 Code. Up to \$500,000 of the funds generated from insurance fines resulting from the Attorney General's investigation shall be retained and expended by the Office of the Attorney General and unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year. Fines collected in excess of \$500,000 must be remitted to the General Fund of the State.*



51.32. (CORR: Criminal Illegal Alien Rapid Repatriation) The Director of the Department of Corrections may release a prisoner to the custody and control of the United States Immigration and Customs Enforcement, provided ~~the department has~~:

a) ~~the department has~~ received an order of deportation for the prisoner from the United States Citizenship and Immigration Services,

b) the prisoner has served at least one-third (1/3) of the total amount of incarceration imposed by the court, and

c) the prisoner has not been convicted of an offense as provided in the following Sections of the 1976 Code: Section 16-3-10 (murder); Section 16-3-29 (attempted murder); Sections 16-3-652 and 16-3-653 (criminal sexual conduct in the first and second degree); Section 16-3-655 (criminal sexual conduct with minors, first and second degree); Section 16-3-600(B) (assault and battery of a high and aggravated nature); Section 16-3-910 (kidnapping); Section 16-11-330(A) (armed robbery); Section 16-11-330(B) (attempted armed robbery); drug trafficking as defined in Section 44-53-370(e) or trafficking in methamphetamine or cocaine base as defined in Section 44-53-375(C); Section 16-11-311 (burglary in the first degree); Section 16-3-85(A)(1) (homicide by child abuse); Section 16-25-65 (criminal domestic violence of a high and aggravated nature); Section 16-15-140 (lewd act upon a child under sixteen); Section 16-15-395 (sexual exploitation of a minor first degree); Section 16-15-405 (sexual exploitation of a minor second degree); Section 16-15-415 (promoting prostitution of a minor); Section 16-15-425 (participating in prostitution of a minor); Section 56-5-2945(A)(2) (felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death).

The director shall consider all sentences being served when calculating the total amount of incarceration, but shall not consider the suspended portion of any sentence.

If a prisoner released pursuant to this provision returns illegally to the United States, upon notice from any federal or state law enforcement agency that the prisoner is incarcerated, the director shall revoke the release of the prisoner and the prisoner shall serve the remainder of the incarceration originally imposed by the court. The prisoner shall not thereafter be eligible for parole on any sentence affected by the release provided above.

## ADD NEW PROVISIO

### Department of Education

*1.cci. (SDE: Common Core Initiative) No funds shall be expended in the current fiscal year by the Department of Education, the Education Oversight Committee, or the State Board of Education to participate in, implement, or promote the Common Core State Standards Initiative until the State Department of Education issues a report analyzing potential cost increases or cost savings of the Common Core State Standards Initiative. The report must be submitted to the House Ways and Means Committee and the Senate Finance Committee by January 6, 2012. Subsequent to the acceptance and approval of the financial report by the House Ways and Means Committee and the Senate Finance Committee, the State Board of Education, the Department of Education, and the Education Oversight Committee may adopt the Common Core State Standards Initiative.*