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Indicates New Matter

COMMITTEE REPORT

April 14, 2016

**S. 1014**

Introduced by Senator Hayes

S. Printed 4/14/16--S.

Read the first time January 21, 2016.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 1014) to amend Section 59‑25‑410, Code of Laws of South Carolina, 1976, relating to the date by which a school must notify a teacher of his tentative, 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, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 59‑1‑425(A) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) ~~Each~~ A local school district board of trustees of the State ~~shall have~~ has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and ~~shall~~ must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the ~~2007‑2008~~ 2017‑2018 school year the opening date for students ~~must~~ may not be before the ~~third Monday in~~ August fifteenth, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development ~~shall~~ must address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

SECTION 2. Section 59‑18‑325(C)(2) of the 1976 Code, as added by Act 200 of 2014, is amended to read:

“(2)(a) Additionally, the Executive Director of the State Fiscal Accountability Authority, with the advice and consent of the special assessment panel, also must direct the procurement of a college and career readiness assessment that meets the requirements of subsection (A). The procurement must be completed before September 30, 2014. In addition to WorkKeys, the assessment must be administered to all students entering the eleventh grade for the first time in the 2014‑2015 school year.

(b) Beginning in the 2017‑2018 school year, a school district shall administer the statewide summative assessment, with the exception of alternative 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.

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

(d) 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.

(e) In the event of school closure due to extreme weather or other disruptions, or significant school or district technology disruptions that prevent the administration of assessment, a local school district may request that the department provide a paper‑based administration to complete testing within the last twenty days of school.”

SECTION 3. Section 59‑25‑410 of the 1976 Code is amended to read:

“Section 59‑25‑410. (A) On or before April fifteenth of each year, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59‑1‑130, in their employ concerning their employment for the ensuing year. If the board, or the person designated by it, fails to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher ~~shall be deemed~~ must be considered to be reemployed for the ensuing year and the board shall issue a contract to ~~such~~ the teacher as though the board had reemployed ~~such teacher~~ him in the usual manner. Notices of intent not to renew an employment contract ~~shall~~ must be given in writing no later than April fifteenth of each year.

(B) On or before August ~~fifteenth~~ eighth, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year.

(C) This section ~~shall~~ does not apply to ~~any~~ a teacher whose contract of employment or dismissal is under appeal ~~under~~ pursuant to Section 59‑25‑450.

(D) For purposes of this article, ‘teacher’ means ~~all employees possessing~~ an employee who possesses a professional certificate issued by the State Department of Education, except ~~those employees~~ an employee working pursuant to a multi‑year ~~contracts~~ contract.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact to the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill would amend Section 59-25-410, which would change the date for the superintendent, principal, or supervisor to notify the teacher of his tentative assignment to on or before August eighth from August fifteenth. In addition, beginning with the 2016-2017 school year, the opening date for students must not be before the second Monday in August.

The State Department of Education indicates there is no expenditure impact to the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑25‑410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DATE BY WHICH A SCHOOL MUST NOTIFY A TEACHER OF HIS TENTATIVE ASSIGNMENT FOR THE PENDING SCHOOL YEAR, SO AS TO CHANGE THE DATE FROM AUGUST FIFTEENTH TO AUGUST EIGHTH; AND TO AMEND SECTION 59‑1‑425, AS AMENDED, RELATING TO THE BEGINNING AND LENGTH OF A SCHOOL TERM, SO AS TO CHANGE THE EARLIEST DAY ON WHICH THE TERM MAY BEGIN FROM THE THIRD MONDAY IN AUGUST TO THE SECOND MONDAY IN AUGUST.

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

SECTION 1. Section 59‑25‑410 of the 1976 Code is amended to read:

“Section 59‑25‑410. (A) On or before April fifteenth of each year, the boards of trustees of the several school districts shall decide and notify, in writing, the teachers, as defined in Section 59‑1‑130, in their employ concerning their employment for the ensuing year. If the board, or the person designated by it, fails to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher shall be deemed to be reemployed for the ensuing year and the board shall issue a contract to such teacher as though the board had reemployed such teacher in the usual manner. Notices of intent not to renew an employment contract shall be given in writing no later than April fifteenth of each year.

(B) On or before August ~~fifteenth~~ eighth, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year.

(C) This section shall not apply to any teacher whose contract of employment or dismissal is under appeal under Section 59‑25‑450.

(D) For purposes of this article, ‘teacher’ means all employees possessing a professional certificate issued by the State Department of Education, except those employees working pursuant to multi‑year contracts.”

SECTION 2. Section 59‑1‑425(A) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) Each local school district board of trustees of the State shall have the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and shall consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the ~~2007‑2008~~ 2016‑2017 school year the opening date for students must not be before the ~~third~~ second Monday in August, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development shall address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

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

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