



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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*This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.*

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**Bill Number:** S. 0946 Amended by Senate Education Subcommittee on January 12, 2022  
**Author:** Goldfinch  
**Subject:** Unencumbered Time for Teachers  
**Requestor:** Senate Education  
**RFA Analyst(s):** Wren  
**Impact Date:** January 25, 2022

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### **Fiscal Impact Summary**

The amended bill requires the State Board of Education to adopt a statewide policy that each local school board must use to develop and implement a plan to provide each kindergarten through fifth grade full-time teacher with at least thirty minutes of unencumbered time on each regular school day. The policy must also include a plan to provide at least thirty minutes of unencumbered time each regular school day to any teacher who is responsible for instructing a student who is removed from the general education setting for more than twenty percent of the day.

In March of 2020, the State Department of Education (SCDE) and local school districts provided an impact for similar legislation, which we have included. We have requested that they review the amended bill and will update this impact statement if we receive a revised response.

SCDE indicated previously that the bill would have no expenditure impact on the agency since any expenses to adopt a statewide unencumbered time policy could be managed within existing appropriations.

Additionally, SCDE surveyed the regular school districts on similar legislation that required a thirty-minute duty-free period for all teachers and librarians. In 2020, thirty-four districts, which represented forty-eight percent of the students in the regular districts, provided a response. The responding districts estimated that costs would range from \$0 to \$5,100,000, which was \$0 to \$322 per student. Twelve of the responding districts indicated that they currently had planning periods in place that met the criteria of the duty-free planning period. The remaining twenty-two responding districts indicated the need to hire additional teachers, instructional aides, or substitutes to ensure coverage during duty-free planning times and expected expenses to total \$19,466,000. While, these figures represented all classroom teachers and full-time librarians for kindergarten through twelfth grade, SCDE indicated that the impact would be substantially similar for kindergarten through fifth grade based upon current practices. Given the wide variance in responses by the school districts, the overall expenditure impact on local school districts is undetermined.

## Explanation of Fiscal Impact

**Amended by Senate Education Subcommittee on January 12, 2022**

### **State Expenditure**

The amended bill requires the State Board of Education to adopt and revise as necessary a statewide policy that each local school board must use to develop and implement a plan to provide each kindergarten through fifth grade full-time teacher with at least thirty minutes of unencumbered time on each regular school day. The policy must also include a plan to provide at least thirty minutes of unencumbered time each regular school day to any teacher who is responsible for instructing a student who is removed from the general education setting for more than twenty percent of the day. The local school board must adopt an unencumbered time policy at a regularly scheduled meeting within three months after the adoption of the statewide policy. The provisions of the bill must be completely implemented before July 1, 2023.

In March of 2020, SCDE indicated on similar legislation that the bill would have no expenditure impact on the agency since any expenses to adopt a statewide unencumbered time policy could be managed within existing appropriations. We will update this impact statement if SCDE provides a revised response.

### **State Revenue**

N/A

### **Local Expenditure**

As noted above, the bill requires each local school board to develop and implement a plan to provide certain teachers with at least thirty minutes of unencumbered time each regular school day.

In March of 2020, SCDE surveyed the regular school districts on similar legislation that required a thirty-minute duty-free period for all teachers and librarians. At that time, thirty-four districts, which represented forty-eight percent of the students in the regular districts, provided a response. The responding districts estimated that costs would range from \$0 to \$5,100,000, which was \$0 to \$322 per student. Twelve of the responding districts indicated that they currently had planning periods in place that met the criteria of the duty-free planning period. The remaining twenty-two responding districts indicated the need to hire additional teachers, instructional aides, or substitutes to ensure coverage during duty-free planning times and expected expenses to total \$19,466,000. While, these figures represented all classroom teachers and full-time librarians for kindergarten through twelfth grade, SCDE indicated that the impact would be substantially similar for kindergarten through fifth grade based upon current practices. Given the wide variance in responses by the school districts, the overall expenditure impact on local school districts was undetermined at that time. We will update this impact statement if responses are substantially different.

### **Local Revenue**

N/A



Frank A. Rainwater, Executive Director