**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “COMPETITIVE EDUCATION EMPLOYMENT ACT”; TO AMEND SECTION 59‑18‑300, RELATING TO THE ADOPTION OF EDUCATIONAL STANDARDS IN CERTAIN CORE ACADEMIC AREAS, SO AS TO INCLUDE SPANISH AMONG THESE AREAS, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH EDUCATIONAL STANDARDS FOR SPANISH BEFORE DECEMBER 1, 2022, TO BE IMPLEMENTED BEGINNING WITH THE 2023‑2024 SCHOOL YEAR; TO AMEND SECTION 59‑18‑310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND MEASURE STUDENT PERFORMANCE ON STATE STANDARDS, SO AS TO INCLUDE SPANISH AMONG THE SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENT PROGRAM; AND TO AMEND SECTION 59‑18‑320, RELATING TO THE REVIEW AND ADMINISTRATION OF THE STATEWIDE ASSESSMENTS, SECTION 59‑18‑325, RELATING TO THE SUMMATIVE ASSESSMENT SYSTEM, SECTION 59‑18‑350, RELATING TO THE CYCLICAL REVIEW OF STATEWIDE STANDARDS AND ASSESSMENTS, AND SECTION 58‑19‑900, RELATING TO PERFORMANCE RATINGS OF SCHOOLS, ALL SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. Whereas, as our twenty‑first century economy becomes increasingly globalized and the complexion of America evolves as its diversity flourishes, it is imperative that our educational system keeps pace in making necessary changes to the way it prepares young people for the future; and

Whereas, such changes are not only necessary to create a more unified and empowered society, but also to provide a competitive workforce that attracts business and industry to invest in the Palmetto State; and

Whereas, among the initiatives South Carolina public schools may pursue in this regard is the implementation of comprehensive bilingual and bicultural training in kindergarten through twelfth grade, with an emphasis on the Spanish language and culture. Now, therefore,

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

SECTION 1. This act must be known and may be cited as the “Competitive Education Employment Act”.

SECTION 2. Section 59‑18‑300 of the 1976 Code is amended to read:

“Section 59‑18‑300. (A) The State Board of Education is directed to adopt grade specific performance‑oriented educational standards in the core academic areas of mathematics, English/language arts, social studies (history, government, economics, and geography), ~~and~~ science, and Spanish for kindergarten through twelfth grade and for grades nine through twelve adopt specific academic standards for high school credit courses in mathematics, English/language arts, social studies, and science. The standards are to promote the goals of providing every student with the competencies to:

(1) read, view, and listen to complex information in the English language and the Spanish language;

(2) write and speak effectively in the English language and the Spanish language;

(3) solve problems by applying mathematics;

(4) conduct research and communicate findings;

(5) understand and apply scientific concepts;

(6) obtain a working knowledge of world, United States, ~~and~~ South Carolina history, government, economics, and geography; and

(7) use information to make decisions.

(B) The standards must be reflective of the highest level of academic skills with the rigor necessary to improve the curriculum and instruction in South Carolina’s schools so that students are encouraged to learn at unprecedented levels and must be reflective of the highest level of academic skills at each grade level.

(C) The educational standards for Spanish must be established by the State Board before December 1, 2022, for implementation beginning in the 2023‑2024 School Year.”

SECTION 3. Section 59‑18‑310(B)(1) and (D) of the 1976 Code is amended to read:

“(1) The statewide assessment program must include the subjects of English/language arts, mathematics, science, ~~and~~ social studies, and Spanish in grades three through eight, as delineated in Section 59‑18‑320, and end‑of‑course tests for courses selected by the State Board of Education and approved by the Education Oversight Committee for federal accountability, which award units of credit in English/language arts, mathematics, science, ~~and~~ social studies, and Spanish. A student’s score on an end‑of‑year assessment may not be the sole criterion for placing the student on academic probation, retaining the student in his current grade, or requiring the student to attend summer school. Beginning with the graduating class of 2010, students are required to pass a high school credit course in science and a course in United States history in which end‑of‑course examinations are administered to receive the state high school diploma. Beginning with the graduating class of 2015, students are no longer required to meet the exit examination requirements set forth in this section and State Regulation to earn a South Carolina high school diploma.

(D) The State Board of Education shall create a statewide adoption list of formative assessments for grades kindergarten through nine aligned with the state content standards in English/language arts ~~and~~, mathematics, and Spanish that satisfies professional measurement standards in accordance with criteria jointly determined by the Education Oversight Committee and the State Department of Education. The formative assessments must provide diagnostic information in a timely manner to all school districts for each student during the course of the school year. For use beginning with the 2009‑2010 School Year, and subject to appropriations by the General Assembly for the assessments, local districts must be allocated resources to select and administer formative assessments from the statewide adoption list to use to improve student performance in accordance with district improvement plans. However, if a local district already administers formative assessments, the district may continue to use the assessments if they meet the state standards and criteria pursuant to this subsection.”

SECTION 4. Section 59‑18‑320(B) of the 1976 Code is amended to read:

“(B) After review and approval by the Education Oversight Committee, and pursuant to Section 59‑18‑325, the standards‑based assessment of mathematics, English/language arts, social studies, ~~and~~ science, and Spanish will be administered for accountability purposes to all public school students in grades three through eight, to include those students as required by the federal Individuals with Disabilities Education Improvement Act and by Title 1 of the Elementary and Secondary Education Act. To reduce the number of days of testing, to the extent possible, field test items must be embedded with the annual assessments. To ensure that school districts maintain the high standard of accountability established in the Education Accountability Act, performance level results reported on school and district report cards must meet consistently high levels in all four core content areas. For students with documented disabilities, the assessments developed by the Department of Education shall include the appropriate modifications and accommodations with necessary supplemental devices as outlined in a student’s Individualized Education Program and as stated in the Administrative Guidelines and Procedures for Testing Students with Documented Disabilities.”

SECTION 5. Section 59‑18‑325(C)(1) and (3) of the 1976 Code is amended to read:

“(1) The summative assessment must be administered to all students in grades three through eight. The summative assessment must assess students in English/language arts ~~and~~, mathematics, and Spanish, including those students as required by the federal Individuals with Disabilities Education Act and by Title I of the Elementary and Secondary Education Act. For purposes of this subsection, ‘English/language arts’ includes English, reading, and writing skills as required by existing state standards. The assessment must be a rigorous, achievement assessment that measures student mastery of the state standards, that provides timely reporting of results to educators, parents, and students, and that measures each student’s progress toward college and career readiness. Therefore, the assessment or assessments must meet all of the following minimum requirements:

(a) compares performance of students in South Carolina to other students’ performance on comparable standards in other states with the ability to link the scales of the South Carolina assessment to the scales from other assessments measuring those comparable standards;

(b) be a vertically scaled, benchmarked, standards‑based system of summative assessments;

(c) measures a student’s preparedness for the next level of their educational matriculation and individual student performance against the state standards in English/language arts, Spanish, reading, writing, mathematics, and student growth;

(d) documents student progress toward national college and career readiness benchmarks derived from empirical research and state standards;

(e) establishes at least four student achievement levels;

(f) includes various test questions including, but not limited to, multiple choice, constructed response, and selected response, that require students to demonstrate their understanding of the content;

(g) be administered to all students in a computer‑based format except for students with disabilities as specified in the student’s IEP or 504 plan, and unless the use of a computer by these students is prohibited due to the vendor’s restrictions on computer‑based test security, in which case the paper version must be made available; and

(h) assists school districts and schools in aligning assessment, curriculum, and instruction.

(3) Beginning with the ~~2017‑2018~~ 2023‑2024 School Year, the department shall procure and administer the standards‑based assessments of mathematics ~~and~~, English/language arts, and Spanish to students in grades three through eight. The department also shall procure and administer the standards‑based assessment in science to students in grades four, six, and eight, and the standards‑based assessment in social studies to students in grades five and seven.”

SECTION 6. Section 59‑18‑350(B) of the 1976 Code is amended to read:

“(B) For the purpose of developing new college and career readiness English/language arts ~~and~~, mathematics, and Spanish state content standards, a cyclical review must be performed pursuant to subsection (A) for English/language arts and mathematics state content standards not developed by the South Carolina Department of Education. The review must begin on or before January 1, ~~2015~~ 2020, and the new college and career readiness state content standards must be implemented for the ~~2015‑2016~~ 2020‑2021 School Year.”

SECTION 7. Section 59‑18‑900(B)(2) of the 1976 Code is amended to read:

“(2) The same categories of performance ratings also must be assigned to individual indicators used to measure a school’s performance including, but not limited to, academic achievement, student growth or progress, graduation rate, English language proficiency, Spanish language proficiency, and college and career readiness.”

SECTION 8. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑