

# *Senator Fanning's Notes*

## **Education “Reform” Bills**

### **(H.3759 & S.419)**

#### *Summary Bullets*

#### **A. Growing State Government; Big Brother State-Level “solutions;” (Less Local. Consolidation of You... while WE add bureaucracy!)**

- **Adds a 3<sup>rd</sup> State Entity Overseeing Education in SC: What's Better than 2 Oversight Committees for Education in SC? THREE!** Creates a new Education “Zero-to-Twenty” Oversight Committee... the leader of which shall be named the SC “**Tsar**” of Education (*another paid Executive Director*). Now will have a (1) *State Board of Education*; (2) *Education Oversight Committee (EOC)*; and now (3) NEW “Zero-to-Twenty” Ed Oversight Committee. Now we will have a (1) State Superintendent of Ed; (2) Executive Director of the EOC; and (3) new Education Tsar for “Zero-to-Twenty” State Entity. This new “Zero-to-Twenty” Ed Oversight Committee will oversee setting benchmarks for ¾-year-old, 3<sup>rd</sup> grade reading, 8<sup>th</sup> grade math, HS graduation, etc... similar to current EOC (all correlated to state assessments). Additional layer of Education Bureaucracy... while we tell schools & districts that they need to “consolidate” – and focus everything into the classroom. Now... SC will speak... not with one voice... not with two voices... but with three voices! {*Section 1-12-110; pg. 13-15*}
- **Consolidation... Not of State Agencies... But of Selected School Districts:** While this bill actually adds another state entity (*a third... overseeing public education across SC*), the bill would *also* require consolidation of all school districts with less than 1,000 students. {*59-17-15; pg. 68-69*}

#### **B. Increased State-Mandated, Standardized, Accountability Testing (Deletes 2, while adding 15+)**

- **Deletes 2 Statewide Assessments:** Of all the “over-testing” we are doing to our students – taking time away from teachers being able to teach – ***we are deleting only two tests: Social Studies testing in grades 5 and 7.*** SC will STILL be giving far more tests than required by Federal Requirements. Note: Further, elsewhere in the bill (see below)... Fifteen new tests... new state-mandated, standardized, accountability assessments... are added! {*59-18-310(b)(1-2); pg. 17 - }*}
- **ADDS at least FIFTEEN (15) new state-mandated, standardized, accountability Tests:**
  - a. Adds 12 new tests in grades K, 1, 2, & 3 (3 tests in each grade): reading & numeracy

- i. **Kindergarten:** 5-year-olds will now take such tests within 1<sup>st</sup> 30 days; another at mid-year; and another at the end of the year.
- ii. **1<sup>st</sup> grade** (same): 3 new tests (beginning, middle, & end of the year)
- iii. **2<sup>nd</sup> grade** (same): 3 new tests (beginning, middle, & end of the year)
- iv. **3<sup>rd</sup> grade** (same): 3 new tests (beginning, middle, & end of the year)  
{59-155-155; pg 23-24}

b. Adds at least 3 (or 6) new tests in HS (1 each grades 9, 10, 12): reading & numeracy

- i. **9<sup>th</sup> grade:** one end-of-year test in reading & math (all students)
- ii. **10<sup>th</sup> grade:** one end-of-year test in reading & math (all students)
- iii. ~~**11<sup>th</sup> grade:** (hopefully no new tests in this grade; instead use end-of-course)~~
- iv. **12<sup>th</sup> grade:** one end-of-year test in reading & math (all students)  
{59-18-365; pg 39-40}

c. (15+) ...Total New State-Mandated, Standardized, Accountability Tests: 15+

- Creates a Massive, New, Additional Statewide Student Assessment System: State would now track the individual growth (math & reading) of every single one of 700,000 students... Kindergarten thru 12<sup>th</sup> grade. *Cost? More state-bureaucracy at the expense of teaching?*  
{59-18-365; pg. 39}
- Adds a Computer Science Course: Requires all HS's to add additional course. SED to hire director. {59-29-250; pg. 15 - }

### **C. New Labels for Schools... "Rearranging Deck Chairs on the Titanic!"** **Restructuring Them; Hiring Private Companies; Ways to Fire Teachers**

- "Turn-Around Schools:" If a school is under-performing (*in any number of measures*), the school MUST become a State "Turn-Around" School. The new "Turn-Around" School Requirements will include:
  - Use funds "to provide compensation incentives in the form of salary supplements to classroom teachers" – the purpose of such tied to improving students achievement (*possible back-door "merit-pay?"*) {59-18-1615; pg. 58-59}
  - *Increased Monitoring by the State Dept. of Ed*
  - *8 new requirements for School Boards*
  - *All individual teachers' evaluations must be reviewed by the State Dept. of Ed*
  - **Specific "Font-Size" Requirements for Advertisements – Notifying that School is Horrible:** Community must be notified of their failing school's status... with an advertisement in local newspapers. The law prescribes the font-size:
    - **Ad must be at least 4 & ½ by 10 inches... with 24-point-font**
    - *Ad list names & phone numbers of School Board Members & Supt./Principal*
  - *Offer Annual "Orientation" annually to parents (being a Turn-Around School)*
  - *Tiered SDE Intervention – Send new non-teachers to "transform" school*
  - *Tiers of SDE Technical Assistance could include:*

- ***Fire Principal*** (replaced by SDE employee)
    - ***Fire all TEACHERS*** (School will be “Reconstituted” with new teachers. With the biggest-teacher-shortage in years... no mention as to where these new teachers will come from) {59-18-1615; pg. 61}
  - ***SDE can declare a “State of Emergency”***
  - ***External Review Teams (ERT’s) are Back! Evaluating schools for the St. Dept. of Ed***
    - {59-18-1615; pg. 58-62}
- ***Chronically-Under-Performing Schools:*** This will be a new “label” given to schools who are “unsatisfactory” for 3 (of 4) years. All teachers will be fired... and one of the following will happen to the school: (SDE decides which option)
    - ***“Entire School Reconstituted:”*** Fire all teachers (and principal) immediately; SDE hires new staff (not sure where they will find the new teachers?). ***SDE hires a separate entity (i.e. Private Company) to run this school.***
    - ***School Closed & Re-Opened:*** Fire all teachers. Re-Open as Charter... or run by a Business or non-profit.
    - ***School Closed*** (send kids to another school)
      - {59-18-1620; pg. 63-64}
  - ***State of Emergency Schools:*** If the majority of schools in a school district are “Below Average” or “Unsatisfactory,” the State Supt. of Ed ***shall*** declare a *State of Emergency*:
    - *Send ERT’s to make recommendations to SDE how schools should be run*
    - *Take over decision-making*
    - *After 4 years in “State of Emergency,” the State Board of Ed chooses one (below):*
      - *Transfer schools out of the district... to another district*
      - *Close the schools & reopen them as Charter Schools – or run by a private Company*
      - *Abolish the School Board*
        - {59-18-1640; pg. 64-65}
  - ***Creates the “SC Transformation School District:”*** State Supt. of Ed contracts with private companies to run these schools. Schools waived of normal requirements.
    - ***All Teachers Immediately FIRED... replaced by those selected by private company***
    - *Receive money per pupil from state (with hope of separate state allocation)*
    - ***School District where these schools are from... Required to Provide to school:***
      - *Food service*
      - *Transportation*
      - *Student Testing*
      - *Other*
      - *Schools allowed to use buildings in FORMER school district*
        - {59-18-1650; pg. 66-68}

## **D. Teacher Pay... BUT... (Address Shortage, Hiring, Firing, Salary Schedule)**

- **Increase Beginner-Teacher-Pay to \$35,000:** Increase 1<sup>st</sup>-yr pay only. {59-20-50; pg. 55-56}
- **Abolishes the State's "Teacher Salary Schedule:"** New Committee will recommend a NEW Statewide Teacher Salary Schedule. Abolish old one. Our current scale (scheduled to be abolished by the committee in this bill) - includes all current teacher "steps" (*years in classroom, degrees*). Bill would replace these current "Teacher Steps" (schedule) with a new State Teacher Schedule that pays in "Bands" (*between 5-9 Bands*). Eliminates annual Teacher Step Increases. State Dept. of Ed will determine criteria to "move up" to the next "band." (*back-door Merit Pay*) {59-20-50; pg. 56-57}
- **Don't Have to Hire Certified Teachers:** If you are an "Excellent" or "Good" School, you can hire (*up to 25% of your faculty*) non-certified teachers. These teachers would not have to go thru a College Teacher Education Program (*would be exempt from new "Reading Test"*)... as long as they have a Bachelor's Degree in the area they want to teach (*with 5 years of work experience in this area*). No "Test" (*nor coursework*) would be required of these future teachers.
  - Average, Below-Average, & Unsatisfactory Schools? No Flexibility given in hiring teachers.
  - {59-8-115; pg. 51}
- **Free Tuition to Students of Teachers in Unsatisfactory Schools:** Teachers (at least 5 years) who teach in a school with an "Unsatisfactory" rating... their (undergraduate) children can get free tuition in SC public colleges (excludes room/board/books)... up to 4 years. No mention re: who pays for this provision... nor a cost (to colleges or the state). {59-111-110; pg. 57}
- **Teacher Travel?** A local school may use local monies to reimburse a teacher who must travel more than 25-miles (each way) to/from home/school. *No mention re: who pays for this provision... nor a cost (to locals or the state).* {59-19-360; pg. 58}

## **E. Read-to-Succeed.... New Requirements**

- **More "Read-to-Succeed" Requirements:** The following requirements added to Read-to-Succeed: {59-155-155 & subsequent...; pg. 22-37}
  - Add 9 State-Mandated Tests to grades Kindergarten, 1<sup>st</sup>, & 2<sup>nd</sup>, 3<sup>rd</sup> grades (pp.22-23)
  - Revise State Accountability Model & Report Cards to hold schools accountable
  - Additional required Professional Development & Training (now for Kindergarten, First, & Second Grade Teachers)
  - Eliminates "Book Clubs" as a way schools could use to meet requirements.
- **Increases the Number of 3<sup>rd</sup> Graders Retained in 3<sup>rd</sup> Grade:**
  - Eliminates the "Parents Rights" to appeal the 3<sup>rd</sup> Grade Retention; and

- Alters the current “Reading Portfolio” exemption – making it considerably harder to use this exemption (to prove you can read on the 3<sup>rd</sup> grade level).
  - {59-155-160(a); pg. 26 - }
- **Alters the Jobs of Literacy Coaches:** New requirements include...
  - Now serve as “Testing Coordinators” - 9 new-required Kindergarten, 1<sup>st</sup>, 2<sup>nd</sup> grd tests
  - Deliver additional professional development
  - New Job Qualifications and Duties
    - {59-155-180; pg. 30-33}
- **State Dept. of Ed will now hires Reading Coaches for Many Districts:** If 1/3 of 3<sup>rd</sup> graders are under-performing, then the State Dept. of Ed will screen & approve all school Reading Coaches. {59-155-180; pg. 34 - }
- **More Trips to Columbia for Principals & Literacy Coaches:** If 1/3 of 3<sup>rd</sup> graders are under-performing, then the principal and the Literacy Coach will be required to come to Columbia multiple times for training each year. {59-155-180; pg. 34 - }

## **F. Colleges & Future Teachers: How to Get More College Students Majoring in Education. New College Requirements... and New Alternative Certification Requirements**

- **Adds a State-Mandated Assessment for Future Teachers:** Even though 30% fewer college students are entering College Teacher Education Programs, this bill will add a new “Teaching Reading” Assessment. *Note: Elsewhere in this bill, it eliminates the need for teachers to even have to go thru College Teacher Ed Programs... therefore not having to take this assessment?* {59-155-180; pg. 36-37}
- **Colleges will be allowed to offer “Alternative Routes to Teaching” Programs:** Colleges can “certify” teachers... who do not go thru their Teacher Education Program... and who do not take their newly-required “Reading Test.” And these programs do not have to be nationally accredited. {59-25-25; pg. 51}
- **State Dept. of Ed will now give Colleges the Test-Scores... of the K-12 students... of their “Teacher Education” College Students** (will also give colleges the “Teacher Evaluation” data... of their graduates) {59-26-120; pg. 53}
- **Requires the Commission on Higher Education to Evaluate All College Teacher Education Programs** {59-26-20; pg. 52}
- **New Report Cards... Now for Colleges!** Colleges will now be evaluated and judged based on how their students perform. Reported on a new “Teacher Preparation” Report Card – designed just for them. {59-26-35; pg. 52}

- ***Additional Requirements to Receive Scholarships in SC:*** Anyone receiving a Palmetto Fellows or Life Scholarship will now have to pass an additional two courses: (a) Additional Computer Science or Math; and (b) Additional English/Language Arts. {59-104-20(G); pg 20-21} {59-149-50(A); pg. 20-21}

## **G. More Reports & Committees**

- ***Requires a new “Early Childhood Literacy” Report:*** Increased accountability of school districts’ 4-year-old programs. {59-156-250; pg. 19 - }
- ***Creates a Committee to Recommend a Uniform System of Dual Credit Courses*** (offered by SC Colleges to SC high school students) {59-59-210; pg. 38-39}
- ***Creates a new “Survey” for the Education Oversight Committee*** (original Education Oversight Committee, not the new Oversight Committee). Re: “Work Conditions” of Teachers (similar to Current). {59-25-52(A); pg. 54-55}

## **H. Miscellaneous**

- ***School Choice:*** Students will have the choice to attend schools outside their zone {59-63-1520; pg. 11}
- ***Abolishes local school diplomas... Establishes one, Uniform Diploma:*** Every HS diploma now must be the identical, same size, color, lettering, etc. No endorsements nor seals may go on the diploma, unless they are authorized by the State Dept. of Education. {59-39-100; pg. 69-70}
- ***Allows Local School Districts to Require Additional Units for Graduation:*** While all diplomas will now have to “look alike;” the requirements to get them can now differ, from county-to-county. {59-39-100; pg. 70}
- ***Student on State Board of Ed:*** Adds a non-voting student member to State Board of Ed. {59-5-10(B); pg. 11}
- ***Deletes former “Career Cluster” & IGP requirements & puts new ones in place:*** Connects “Clusters” and “Individual Graduation Plans” (IGP) to regional available jobs... approved by the State. State Department of Education would now have more control over what Clusters your local HS can select. {59-59-20(A)} {59-59-50 & 60; pg. 44-45}

- ***Changes Technical College Admission Requirements:*** Would implement common entrance requirement (among all of state's Tech Schools). Deletes statement requiring "open admission policies at Tech schools. {59-53-50; pg. 46}
- ***New \$2,000 Tax Credit to Businesses who Employ Teachers as Interns*** {12-6-3800; pg. 48-49}
- ***Transfers Adult Education from the State Board of Education... to the State Board for Technical & Comprehensive Education (Technical Colleges)*** {Section 32; pg. 49-50}
- ***Begin Shift Away from HS Career Centers... to Regional Career Centers – Serving Multiple Counties*** (shifting these from K-12... now to the State Technical College System) {Section 32; pg. 50}
- ***Creates new "Schools of Innovation:"*** These schools would be exempt from many of the state statutes that govern other, regular K-12 schools. {59-19-350(A); pg. 50}

## **I. Local School Boards (& Members)... New Requirements**

- **New Requirements for Local School Boards... and School Board Members:**
  - ***Code-of-Ethics for School Board Members:*** State Board of Education will have to create and adopt. Local School Board (members) must adopt their own (that must include everything in the State Code) {59-19-720; pg. 71-72}
  - ***School Board & Nepotism:*** After 2020, you are not allowed to serve on the School Board if you have a family member who is another school board member; or is a Supt, District Office, Principal, or AP. (Does not affect those hired prior to 2020). If district has less than 3,000 students, this can be waived. {59-19-740; pg. 73-74}
  - ***School Board Member Can't Use Position to Benefit Themselves;*** New state requirements. School Board Members will not be able to...
    - Use position to get special privileges;
    - Act as Board Member in a situation in which you have an economic interest
    - Solicit or accept anything (\$, loan, employment, favor, service) for purpose of their duties as a Board Member
    - Use position for personal gain (or family member)
    - Represent your company in deal with School District
    - Use position to get info for someone
    - Disclose info
    - Serve as an Officer in an Organization that sells to a school district
    - Keep the Superintendent from doing her/his duties
      - {59-19-750; pg. 75-76}

- ***School Board Member Money:*** School Board members can only modify their compensation AFTER the next General Election. {59-19-750; pg. 76}
- ***2/3 Vote of Board can request a State Ethics Investigation of another Member*** {59-19-750; pg. 76}
- ***If School District loses accreditation, the State Board shall recommend to the Governor – Suspension of ENTIRE School Board, without pay.*** {59-19-760; pg. 76-78}
- ***Fines \$ for School Board Members:*** New penalties for School Board members who don't complete training: \$100... plus \$10 a day until paid (max \$5,000).
  - First Offense: Misdemeanor, (\$500 fine or 30 days in prison)
  - Second Offense: Misdemeanor, (\$2,500-5,000 per day or 30 days in prison)
  - Third Offense: Misdemeanor, (more than \$5000 fine... or 1 year in prison)
    - {Section 51; 1-3-240; pg. 79-80}
- ***Make it easier for Governor to Remove a School Board Member:*** Creates new reasons for Governor to remove. Can remove entire Board (Gov, State Supt, & Leg. Delegation replaces) {59-19-60; pg. 62} {Section 51; 1-3-240; pg. 80}
- ***Increased Training Requirements for all school board members*** {Section 52; 59-19-45; pg. 80 - }
- ***Code of Ethics & Nepotism:*** School Board members must sign each... AND annually disclose compliance with all (including details about their training) {Section 52; 59-19-45; pg. 81 - }



**Co-Sponsors of these two bills (as of February 7, 2019):**

- ***H.3759:*** Lucas, Allison, Felder, Pope, Simrill, Rutherford, Whitmire, G.M.Smith, McCoy, Hiott, Sandifer, Clary, G.R.Smith, Murphy, Taylor, Govan, W.Newton, Funderburk, Elliott, B.Newton, Weeks, Hewitt, Bailey, Hixon, Calhoon, Bennett, Young, Norrell, Hyde, Jordan, Bamberg, Ligon, Sottile, Cogswell, Daning, Loftis and Burns
- ***S.419:*** Hembree, Malloy, Turner, Setzler, Sheheen and Campsen