

MINUTES
State Board of Education Meeting

Date
Wednesday, April 11, 2012

Time
1:00 p.m.

Location
Rutledge Conference Center
1429 Senate Street
Columbia, South Carolina

Dennis Thompson, Chair
David Blackmon, PhD, Chair-elect
Mick Zais, PhD
State Superintendent of Education
Secretary and Administrative Officer to the Board

SBE Mission: The State Board of Education's mission is to provide a leadership role in helping South Carolina set policy and direction to transform teaching and learning so that students are prepared with the necessary knowledge and skills, including innovation, to compete globally and live a productive life.

I. WELCOME/PLEDGE OF ALLEGIANCE

The State Board of Education meeting convened at 1:00 p.m. Chair Thompson called the meeting to order and led the audience in the Pledge of Allegiance.

The following State Board of Education (SBE) members were in attendance: Dennis Thompson, Jr., Chair, Fourteenth Judicial Circuit; David Blackmon, PhD, Chair-elect, Fourth Judicial Circuit; David Longshore, PhD, First Judicial Circuit; Jim Griffith, Second Judicial Circuit; Bonnie Disney, Third Judicial Circuit; Rose Sheheen, Fifth Judicial Circuit; Dru James, Eighth Judicial Circuit; Larry Kobrovsky, Ninth Judicial Circuit; Marilyn (Lyn) Norton, EdD, Tenth Judicial Circuit; Barry Bolen, Eleventh Judicial Circuit; Michael Blue, Twelfth Judicial Circuit; Danny Varat, PhD, Thirteenth Judicial Circuit (arrived at 1:35 p.m. and left meeting at 2:30 p.m.); Thomas Shortt, EdD, Fifteenth Judicial Circuit; John Rampey, Sixteenth Judicial Circuit; and Mike Brenan, Governor's Appointee.

Absent with apologies was Neil Willis, Seventh Judicial Circuit. The Sixth Judicial Circuit was not represented as no one has been appointed to replace Josie Gaston, who resigned in December 2011.

The following South Carolina Department of Education (SCDE) staff were in attendance: Mick Zais, PhD, State Superintendent of Education; Scott English, Chief Operating Officer; Charmeka Bosket, Deputy Superintendent for Policy and Research; Jay W. Ragley, Director, Legislative and Public Affairs (arrived at 1:15 p.m.); Shelly Bezanson Kelly, General Counsel and Parliamentarian, Office of General Counsel; Mark Bounds, Deputy Superintendent, Division of School Effectiveness; Nancy Busbee, PhD, Deputy Superintendent, Division of Accountability; and Cindy Clark, Recording Secretary.

II. APPROVAL OF STATE BOARD OF EDUCATION MINUTES FOR STATE BOARD OF EDUCATION MEETING ON MARCH 14, 2012

Chair Thompson asked if there were any objections to approving the minutes for the SBE Meeting on March 14, 2012, as presented. He called for a vote and the motion carried unanimously.

III. APPROVAL OF STATE BOARD OF EDUCATION AGENDA FOR APRIL 11, 2012

Chair Thompson asked if there were any objections to approving the agenda for the SBE meeting on April 11, 2012, as presented. He called for a vote and the motion carried unanimously.

IV. RECOGNITION OF VISITORS, INCLUDING NEWS MEDIA

Chair Thompson welcomed all visitors. There were no news media present.

V. STATE SUPERINTENDENT OF EDUCATION REPORT

State Superintendent of Education Zais reported on his public and legislative appearances in the past month.

On March 15, 2012, Dr. Zais said a group from Beaufort County called Leadership Bluffton came to Columbia to meet with their members of the General Assembly (GA). He was invited to speak to that group, answer questions, and provide data on the performance of the Beaufort County School District.

On March 16, Dr. Zais visited students, teachers, and leaders at three schools in School District Five of Lexington and Richland Counties. Those schools were Ballentine Elementary School, Crossroads Middle School, and Irmo High School. He said Ballentine Elementary School was a national Blue Ribbon-winning school in 2010.

On March 21, Dr. Zais attended the Annual Legislative Prayer Breakfast in Columbia.

On March 22, Dr. Zais read to students at Killian Elementary School in Richland School District Two. This is part of their "Readers Become Leaders" program that was celebrated across the state. Later that day, he addressed the five finalists for the Teacher of the Year (TOY) competition, as well as the selection committee. He talked about issues in the entire reform movement that are affecting teachers nationwide. Later that day, he spoke to the Spring Valley Rotary Club in Columbia.

On March 23, Dr. Zais visited the first Robotics Regional Competition. The competition is for high school teams that build robots from a standard set of plans. Forty-three teams representing seven states across the southeast competed. Dr. Zais said that some students become disengaged, and this competition provides a way for them to get engaged in math, science, and engineering. He said it was a terrific program, and very interesting. Later that day, he visited students, teachers, and leaders in Colleton County at Cottageville Elementary, Colleton County High School, and Bells Elementary School.

On March 28, Dr. Zais visited with students, teachers, and school leaders at Batesburg-Leesville Elementary School, Batesburg-Leesville Middle School, and Batesburg-Leesville High School. These schools are in Lexington County School District Three.

On March 29, Dr. Zais spoke at the National Coalition for Public School Options Rally at the Statehouse. About 1,100 people, most of whom were from charter schools, attended the event. Dr. Zais added that he received that organization's Golden Apple for his work with the GA to pass a strong public charter school bill.

On March 30, Dr. Zais visited Scott's Branch High School at the invitation of the KnowledgeWorks Foundation. KnowledgeWorks partnered with the Riley Institute to secure a federal grant for Scott's Branch High School and Colleton County High School. The presentation ceremony was at Scott's Branch High School in Summerton. This school is going to implement a STEM program that is funded by the United States Department of Education (USED). Secretary of Education Arnie Duncan was the keynote speaker. Secretary Duncan also visited two other schools in South Carolina: James Simmons Elementary School in Charleston and Allen University in Columbia. Dr. Zais stated that he was not invited to participate in either of these events. He said Congressman Jim Clyburn had invited Secretary Duncan to South Carolina, and that Congressman Clyburn made the decision to exclude Dr. Zais, Governor Nikki Haley (Governor), and the rest of the South Carolina Congressional Delegation from these events.

On April 3, Dr. Zais attended the Washington Night event hosted by the South Carolina Chamber of Commerce. This event involves Washington coming to Columbia where our senators and representatives speak. Attending were Senator Jim DeMint, and Congressmen Jim Clyburn, Joe Wilson, Trey Gowdy, Jeff Duncan, and Tim Scott. They spoke about issues of national interest concerning South Carolinians. Dr. Zais said he had an opportunity to speak briefly at this event.

On April 5, Dr. Zais visited with students, teachers, and school leaders at Ware Shoals Elementary School in Greenwood School District 51, Northside Middle School in Greenwood School District 50, and Ninety-Six High School in Greenwood School District 52. He said Ninety-Six High School is one of the top-scoring high schools in the state. Dr. Zais said he shared a list of 45 other high schools with similar levels of poverty, and Ninety-Six High School was at the top of the list by a huge margin. He added that this is interesting because half of their classes are in portables due to major roofing problems. The school utilizes portables in order to continue teaching classes. He said this reinforces what he has asserted; that we spend too much money on facilities and not enough on teachers in the classroom. Dr. Zais added that if we are going to invest in education, we should invest in teachers in the classroom and not on beautifying schools. He said that Ninety-Six High School will get a new school, but the point is they were doing very well in portable classrooms in a very old school.

Also on April 5, Dr. Zais visited the Fujifilm Manufacturing Plant in Greenwood and spoke to workers and the Human Resources staff to learn more about what their workforce development needs are for the enormous industrial complex.

On April 9, Dr. Zais participated in the Education Oversight Committee (EOC) Meeting. On April 10, Dr. Zais visited students, teachers, and school leaders at Hunter-Kinard-Tyler Elementary School, Hunter-Kinard-Tyler High School, and Carver Edison Middle School in Orangeburg Consolidated School District Four. While there, he learned that this district has had five superintendents in the last five years, and they have had a lot of turnover in their principal ranks as well. So, it is hard to maintain any continuity or growth in the face of that kind of turnover.

Legislatively, on March 28, Dr. Zais attended and participated in a legislative conference meeting of both the House and Senate regarding the public charter school bill, House Bill 3241, to iron out the differences between the Senate version and the House version. This bill has been his top legislative priority for this legislative session. He said he is proud to report that it is a strong bill, and the House has already adopted it. It will be voted on either this week or next week by the Senate.

On March 29, Dr. Zais chaired the final meeting of the statewide reading panel. The panel adopted a report that is being formatted for submission to the General Assembly, and a copy of that report will be provided to the SBE right after the SCDE submits it to the General Assmblly.

After his report, Dr. Zais asked if there were any comments or questions. Chair Thompson commented that Dr. Zais, during his statewide travel, has had a chance to personally observe how rough it is to maintain good quality staff in the rural districts. Dr. Zais stated that good teachers will remain in these poor rural schools if they have motivational and inspirational principals; lacking that, there is high turnover. He said we do have a lot of rural schools that are doing very well. There are 10 schools in South Carolina that have over 90 percent poverty that are rated excellent or good; three of those are in Orangeburg, but not in Orangeburg Consolidated School District Four.

VI. PUBLIC COMMENT

Four persons signed up for public comment. Jackie Hicks, South Carolina Education Association President, spoke regarding the Teach For America Program (TFA) and the various pathways for entrance into the teaching profession. She requested that no further expansion of TFA occur until some analysis is completed on its use and effectiveness in South Carolina.

Bill Bates, past technology teacher in the Charleston School District and a school-choice advocate, commented that there needs to be more focus on teacher performance and evaluation in a real classroom setting instead of using standardized checklists.

Betsy Carpentier, representing the South Carolina Association of School Administrators (SCASA), commented on Regulation 43-273, Transfers and Withdrawals, and asked that the Board address a related problem concerning records communication between the receiving and sending schools. Also, Mrs. Carpentier commented on SCASA's request for a wording change on Regulation 43-234, Defined Program, Grades 9–12.

Debbie Jones, Administrator, South Carolina Future Minds, spoke regarding getting back to the basics of teaching. She commented that if South Carolina public schools cannot educate children so that they can read and eventually graduate, then parents should decide where their children attend school.

VII. STATE BOARD ITEMS

SB STATE BOARD OF EDUCATION

01. State Board of Education Teach For America (TFA) Guidelines Update (Second Reading)—Mark Bounds, Deputy Superintendent, Division of School Effectiveness

Mark Bounds gave a brief overview of the Teach For America (TFA) Guidelines Update for second reading.

Mike Brennan moved to approve the SCDE's TFA Guidelines on second reading. David Longshore seconded the motion.

Rose Sheheen moved to amend the motion, seconded by Lyn Norton, as follows. This is a return to the language that had been in the original guidelines for TFA, and approved by the SBE last year.

The State Board of Education (SBE) will designate approved regions and districts for placement of TFA core members in South Carolina. The SBE Chairperson may approve district partnerships with TFA if there is not sufficient time for approval to be presented to the full Board. The TFA representatives work directly with each participating school district superintendent to determine potential TFA placements. The TFA placements may be made only at the request of the district superintendent. Building on its math and science initiative, TFA will provide math and science teachers to rural schools in South Carolina. The number of TFA early childhood and elementary education teachers employed in South Carolina may not exceed 30 percent of the total number of TFA teachers employed in the state during a given academic year. The number of TFA special education teachers employed in South Carolina may not exceed 20 percent of the total number of TFA teachers employed in the state during a given academic year. Districts are encouraged to limit special education placement to certain students with mild to moderate disabilities.

Charmeka Bosket stated that there were two things she would like to address. First, to make sure everyone is clear on the section in the guidelines being considered for change. The other matter that the SBE should be aware of in considering the proposed amendment is that the General Assembly, in support of expanding TFA, currently has in the proposed Appropriations Act \$2 million on the line that would support the expansion. The proposed change would work counter to what the General Assembly is currently considering in the appropriations act as it was adopted by the House. Ms. Bosket said that these two things that are working together at this point and to be aware of the fact that the General Assembly has already taken action in the House. The budget has been forwarded to the Senate, and the \$2 million has received strong legislative support in promotion of expansion of this program.

Shelly Kelly clarified that the motion that the SBE is deciding is to replace all the language under core members on page three and replace it with the verbiage on page four which was read by Mrs. Sheheen earlier in this part of the meeting. Ms. Kelly said that basically the proposed amendment would be to replace everything under “core members” on pages three and four and replace it with the language that was read. Chair Thompson stated that this is the exact verbiage that the SBE approved last year.

Dr. Zais commented that he thinks what he heard was that we want to take away from the superintendents the ability to decide what teachers are going to teach and in what classrooms. He asked if he was correct. Mrs. Sheheen said that she is saying TFA came last year with an understanding there would be a three-year pilot in the Pee Dee area, and the rules stated last year indicated this is what was going to be done. Dr. Zais asked Mrs. Sheheen if the answer is that we want to legislate by regulation what the superintendents may and may not do. Mrs. Sheheen responded by saying that the answer is that the rules were set last year, and she suggests that those rules should be abided by concerning adoption in this state.

Dru James commented that she thinks the SBE is undercutting the commitment to evaluate the program if the rules are changed at this time.

Tom Shortt commented that he is not opposed to TFA, but said he wanted to be sure that the SBE is addressing a couple of issues: one is that if the cap is increased, there will end up being a lot of young inexperienced teachers in critical needs areas and locations. There needs to be a balance of experienced teachers as well as inexperienced teachers. Dr. Shortt suggests that if the SBE increases the cap, we will have an imbalance. He would like to see some data on how TFA is working in South Carolina before we move forward with it.

Dr. Zais asked Dr. Shortt if he had talked with the folks in Tennessee who determined that TFA students outperformed all locally trained teachers with the exception of math teachers who graduated from Vanderbilt.

Larry Kobrovsky commented that the SBE had this same debate last month, and the results in the rural counties speak for themselves. If what we are doing now is so wonderful, it is not working. The SBE members cannot possibly know the needs better than the local school principals. Many of the problems in our rural counties is very insular. To break things up and put some of the best minds in there would only help our schools. Mr. Kobrovsky stated that he respects what Mrs. Sheheen said, but urged the SBE to vote to maintain what was done last month and to let the local superintendents decide what teachers are needed in their schools.

Dr. David Longshore stated that the original recommendation came out of his committee, and it was to allow the superintendents to make a decision on the number of TFA teachers they want to hire in the system. He reminded the SBE that he said it was debated in his committee and he supported it. Dr. Longshore said his support is based on personal experience working in a district for a very long period of time. He understands clearly the concerns expressed by his fellow SBE members. However, in his personal experience, he has seen enough to know that if superintendents, specifically in the rural districts, had the option to hire the more experienced teachers who have gone through the standard certification programs, they would

certainly opt to do that. But, in many cases, they have not had those options. Some of these rural districts just cannot get the people to put in the classrooms, and he believes that the TFA candidates would be more able persons in the classrooms than having long-term substitute teachers. Dr. Longshore added that this is why he supports TFA. He prefers to defer on the side of the superintendents and let them make the decisions since they are out in the field and know what kinds of issues with which they are dealing.

Mrs. James asked for clarification on what geographic restrictions or lack of restrictions are on the regulation as presented before Mrs. Sheheen's amendment. Mark Bounds responded that as it currently reads the SBE would have to approve every region in which TFA teachers choose to work. Right now, the SBE has approved the Pee Dee region and Orangeburg. Mr. Bounds said that what would happen now is TFA would go to a district superintendent and if the superintendent requests TFA, the SCDE would bring the request to the SBE. He added that the SCDE intends to do this all at one time. Mr. Bounds summarized by stating that every district this coming year that has requested TFA candidates would bring that list of districts to the SBE for approval as written today. Mrs. James asked for further clarification on this process. Mr. Bounds said that the district will place a demand on TFA and let them know that they cannot fill their critical job vacancies, and inform them how many teachers they need. Then, TFA will go into the pool and find those teachers. The interview process will then take place. So, TFA is never put into a district unless the district superintendent has requested that service; the gateway is still the district. There is a misnomer that TFA candidates are in interviews alongside of traditional candidates and that is not the case. Mr. Bounds summarized that TFA is a program where a district superintendent comes to TFA, requests a specific number of teachers in a specific content area or grade, and when that demand is placed on TFA they fill it as best they can.

Lyn Norton inquired as to what time in the hiring process the demands are placed on TFA. Mr. Bounds stated that this is going on right now. We have numerous districts that are communicating and placing demand on TFA for teachers. There are already requests for 89 teachers across the state. Dr. Norton asked about all the people who are going to graduate from college this spring and will be looking for jobs in education, and the people from TFA have not yet been approved to go into these districts. Mr. Bounds said that the district superintendents who have habitually not been able to fill certain jobs know what their needs are and do not want to wait to find out they cannot get the teachers needed. If a traditionally-trained teacher came along, the district could certainly hire that teacher and place them in the classroom.

Chair Thompson stated that, in other words, right now the school districts are making their preliminary projections as to how many teachers they are going to need if the SBE approves this motion. So, if the SBE approves the TFA motion as it was passed last month, Mr. Bounds' office will receive the requests. Then, they will come back to the SBE with a list of the regions that have a need for TFA teachers. The SBE would then vote to determine if they are eligible to go into those particular districts. A lot of the districts already know what they need and they have probably already been recruiting to replace vacant positions. From their recruitment efforts in going to the colleges and universities in this state, they have projected 89 openings statewide. The districts are looking at possibly having TFA teachers to help

them fill these vacant positions. That is the way it will work provided that the SBE approves the first reading as it was presented in the last SBE meeting in March 2012.

Dr. Zais stated that districts do not wait until after the college students graduate to start recruiting teachers. They are already having job fairs and our student teachers this semester are in the schools. Dr. Zais said that he agrees with Dr. Longshore regarding districts already knowing what their needs are going to be in the fall. Dr. Longshore said that the stakes are too high for principals and superintendents to hire people who are not going to have a positive impact on the test scores. If the teachers hired do not have a positive impact on the test scores, he guarantees that the districts will not continue recruiting from this venue.

Mike Brennan commented that he recommends the SBE not approve the amendment. However, if the SBE does approve the amendment, he questions whether the SBE may have a conflict of some nature with the General Assembly. If there is a conflict, he questions whether there is a way to resolve it since the General Assembly has more power than the SBE. Chair Thompson said that, at the present time, the General Assembly has approved the increase to 60 for the upcoming year.

Jay W. Ragley stated that the GA, at the request of the EOC and many others in public testimony, put in \$2 million for TFA to fund the expansion in the proposal the SBE members have in front of them today putting Mrs. Sheheen's amendment aside. If Mrs. Sheheen's amendment were to carry today and the regulation stays the same, then the General Assembly will have to ask itself, "Are we going to go ahead and spend \$2 million on TFA or on something else?" Mr. Ragley said that the EOC money can go to a lot of different places; the GA can choose to do that but if the regulation or the proposal is amended and the expansion is not warranted then the SBE will have to answer to the GA. He said he would tell them that the SBE voted not to expand TFA. He also reminded the SBE that since they are appointed by legislators they may get some calls from the GA concerning why they voted a certain way. Mr. Ragley stated that this is how all of this will work out operationally.

Mrs. James commented that she is not sure whether Mr. Ragley did not just make the case for the SBE to adopt Mrs. Sheheen's amendment if there is \$2 million that would go back into the EIA and would support all of the teachers in the state; she thinks this would be a more effective use of limited education dollars than specifying that the money go to TFA. Mr. Ragley said that the SBE can do that; his job is to represent the SCDE and Dr. Zais and he does not represent any of the SBE members. He said that he would send an e-mail to the GA to let them know that the money they have appropriated to spend is not going to be spent the way they choose to spend it. He also said that those phone calls will come to the SBE members and not to Dr. Zais and not to himself. Mr. Ragley stated that he wants to make that very clear before the SBE votes on this matter.

Dr. Zais said he could not think of a more effective way to spend dollars than on teachers. Chair Thompson agreed that the money needs to be spent on teachers but that it needs to be spent on teachers that we have available to us. He questions, though, whether our colleges and universities are putting out enough graduates to support all the needs in our schools. He said that this is the question the SBE needs to ask themselves today, or whether we are willing to have a substitute person in the classroom looking at 20 to 25 young people at the

beginning of school all the way through February without a teacher. Chair Thompson also said that the SBE should think about, in addition to the funds, who will be available as a qualified person to place in front of our young people when they return to school every year.

Mrs. James said an EOC report last week showed that we need to put more dollars into our teaching profession at the entry level.

Chair Thompson called for the vote on the amendment to the motion. The vote was six for and seven opposed. The motion to amend the original motion failed.

Chair Thompson called for the vote on the second reading of the original motion as presented by Mr. Bounds. The vote was seven for and six opposed. The motion passed.

Chair Thompson commented that the SBE had made a tough decision, but in the long run our students should be able to have a qualified person in front of the classroom. He trusts that the SBE, from this discussion, will try to encourage more people to attend our colleges and universities and go into our teaching programs, graduate, and come back to teach in our classrooms. However, he said it is an uphill battle.

EP EDUCATION PROFESSIONS

Committee Report—David Longshore, PhD, Chair

David Longshore gave an overview of the action item placed on the consent agenda as follows:

FOR APPROVAL

01. Proposed Amendments to State Board of Education (SBE) Regulation 24 S.C. Code Ann. Regs 43-273 (R 43-273) (2011), Transfers and Withdrawals (First Reading)—

Montrio Belton, EdD, Director, Office of School Transformation, Division of School Effectiveness

PL POLICY AND LEGISLATIVE

Committee Report—Dennis Thompson, Jr., Chair

Chair Thompson gave an overview of the action items placed on the consent agenda as follows:

FOR APPROVAL

01. Anderson School District Five Waiver Request of 24 S.C. Code Ann. Regs. 43-261 (2011), District and School Planning—Darlene Prevatt, Team Leader, Office of Federal and State Accountability, Division of Accountability

02. **Spartanburg County School District Two Waiver Request of 24 S.C. Code Ann. Regs. 43-261 (2011), District and School Planning**—Darlene Prevatt, Team Leader, Office of Federal and State Accountability, Division of Accountability
03. **Request Regarding a Student Athlete in Union County School District**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Chair Thompson stated there were two information items as follows:

FOR INFORMATION

04. **SCDE Grants Update**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Charmeka Bosket reported that the SCDE continues to administer approximately \$930 million in federal grants in the form of federal aid or discretionary grants.

05. **SCDE ESEA Flexibility Waiver Request Update**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Charmeka Bosket reported on where the SCDE is in the ESEA Flexibility Waiver Request (ESEA waiver) approval process. She said that the application was submitted on February 28, 2012.

Chair Thompson commented that he is curious about how the USED will evaluate the information submitted by the stakeholders and how it will impact our final application and approval.

SLA STANDARDS, LEARNING, AND ACCOUNTABILITY

Committee Report—Dru James, Chair

Dru James gave an overview of the action item placed on the consent agenda as follows:

FOR APPROVAL

01. **Selection of State Textbook Depository**—Bruce Shealy, Accounting/Fiscal Manager, Instructional Materials Section, Office of Finance

Mrs. James stated there were two information items as follows:

FOR INFORMATION

02. **Common Core Standards Update**—Cathy Jones, Team Leader, Curriculum and Standards, Office of Policy and Research

Cathy Jones updated the SBE on the Common Core Standards.

03. Common Core Assessment Update—Liz Jones, Director, Office of Assessment, Division of Accountability

Liz Jones updated the SBE on the Common Core Assessment.

Mrs. James said that it is important the SCDE noted 100 percent of the districts have district implementation teams and even though districts may be at a different point in implementing Common Core Standards, the SCDE is providing professional development on an individualized basis so that all districts will be ready to implement in the appropriate year; 2013–14 for the standards and 2014–15 for the assessment. They also talked about all that is available on the Web site, and she encouraged the SBE members to look at the site. She said that it might be a good idea for SBE members to ask superintendents in their area what their plans are for using this information. Another thing that impressed Mrs. James was that all SCDE divisions were represented this morning which shows the collaboration that implementation of Common Core Standards and assessments requires, and she appreciates the SCDE staff’s hard work.

Mr. Kobrovsky expressed his appreciation for the work that has gone into standards and assessment implementation, and for the SCDE staff’s reports and updates today. He also said that this is not the SBE’s decision alone; that the Governor has not signed the document yet. Ms. L. Jones said the SCDE needs the Governor’s signature in order to become a governing state. We can still participate in and administer SBAC, but since we are not a governing state we cannot vote on decisions that are made. Mr. Kobrovsky asked what significance this has. Ms. Jones said that it means when there is a vote, she has to sit back and watch to see how people vote rather than being able to vote. Ms. Bosket said that the SCDE has communicated the status of things to the Governor given the fact that we are awaiting a third signature. In terms of needing a different plan, the SBE has taken action. In that regard, the test decision has been established for 2014–15 but we would caution against SCDE staff articulating anything that would represent the Governor’s opinion.

Dr. Longshore asked Mrs. James what the plans are if the Governor does not sign the document for us to become part of the governing states. He said that if we are not able to participate in field testing of the assessment and the districts have to move into the testing process “cold turkey,” it seems it would be to our advantage to have something in place for the first couple of years to give people the opportunity to prepare for this testing. This is important because of grading-scale accountability.

Mrs. James stated that she thinks there is a phase-in even without the field testing and she is not sure the field testing itself is a big advantage for us.

Dr. Longshore said he does not want the districts to be disadvantaged if we are not a governing state. Mrs. James said that she does not think they would let that happen, but she thinks as a state we would be disadvantaged by not being a governing state. Ms. L. Jones said there is not a cut-off date but any decisions that are made prior to our becoming a governing state we cannot open the conversation back up. All the decisions that have been made we have to live with. Regarding field-testing, they originally said

that we would not be able to participate, but there will be another vote on whether we can participate in field testing. However, there is no guarantee that we can participate in field testing.

VIII. CONSENT AGENDA

Education Professions (EP)

The following item was approved in committee and placed on the Consent Agenda.

01. Proposed Amendments to State Board of Education (SBE) Regulation 24 S.C. Code Ann. Regs 43-273 (R 43-273) (2011), Transfers and Withdrawals (First Reading)

Policy and Legislative (PL)

The following items were approved in committee and placed on the Consent Agenda.

01. Anderson School District Five Waiver Request of 24 S.C. Code Ann. Regs. 43-261 (2011), District and School Planning
02. Spartanburg County School District Two Waiver Request of 24 S.C. Code Ann. Regs. 43-261 (2011), District and School Planning
03. Request Regarding a Student Athlete in Union County School District

Standards, Learning, and Accountability

The following item was approved in committee and placed on the Consent Agenda.

01. Selection of State Textbook Depository

Mr. Rampey moved to approve the consent agenda as presented. The motion was seconded by Mrs. Sheheen. The motion carried.

IX. LEGISLATIVE REPORT AND REQUESTS REGARDING REGULATIONS

Jay W. Ragley, Director, Legislative and Public Affairs reported that the General Assembly is considering the charter school bill. The highlights of the bill include a clarification of the law that locally-sponsored charter school students should receive every dollar they generate. Currently, some school districts do not give those dollars to the students so the bill clarifies that locally-sponsored charter schools' dollars will be used for their students. Another provision will allow the creation of single-gender charter schools in the state. There is a provision for Higher Education to sponsor a charter school whether it is a college, technical college, or community college through the regular sponsoring

process. Also, there is a provision to allow charter school students to participate in extracurricular activities including athletics if their school does not belong to the South Carolina High School League. The largest impact of this provision is in our virtual charter high schools; those students would have the opportunity to participate at the high school in which they would have attended if they were not enrolled in their virtual charter school. These are the big components of the charter school bill that was passed by the House and is pending before the Senate.

Mr. Ragley also reported on the Jason Flatt Act. This bill is before the Senate this week and deals with suicide prevention and awareness training for our middle and high school teachers. The bill will require that of the 120 hours required for teacher certification two of those hours are to be suicide prevention and awareness training. There is no cost to the SCDE, as the Jason Flatt Foundation will provide materials for the schools. However, schools are free to choose their own materials and there are other organizations that provide this training.

Another bill that is a priority for Dr. Zais and pending in the Senate concerns teacher-induction contracts and a way to extend teacher contract periods. This bill would extend the contract period for up to three years. This is not mandatory, but an option. This would give districts another tool in regards to teacher-induction contracts.

Concerning the budget, Mr. Ragley reported that the budget process is beginning in the Senate. The House passed the budget 115 to 0. A couple of highlights: first, Dr. Zais' priorities in the budget were to annualize all the money that was one-time money in the EFA. The current budget had \$56 million of one-time money into the base student cost. Dr. Zais found a way by shifting funds to the EIA and reducing programs that were not delivering services to students in the general fund and then repurposing those monies to the EFA. The House took that recommendation and added an additional \$90 million of recurring dollars which is another request of Dr. Zais which is that we use only recurring dollars to fund a recurring line item like the base student cost. That increase is a base student cost going from \$1,775.00 to \$2,012.00. So, they are going to increase the base student cost. The Senate, though, may change it, increase it, or decrease it. However, for the most part at least the base student cost of \$2012 will allow districts some planning time for the next school year.

Another one of Dr. Zais' key requests was lifting the suspension on textbook purchases and the House agreed with that decision. So for next school year there is no hard suspension of textbook purchases in the budget. That money which is approximately \$34 million will be all out of the EIA but it will all be spent on textbooks. Also, a suspension that Dr. Zais requested that was lifted was writing suspension to pass in grades three, four, six, and seven. As you know, the last two years we have only tested grades five, eight, due to the economy because of the pending Common Core a new assessment with writing being a component of that assessment system. Dr. Zais thought it was wise that we get students back into the habit of taking writing tests in grades three through eight. So that money will be spent on testing and will be a cost savings to districts.

Mr. Ragley brought a couple provisos to the SBE's attention. One that you might be very interested in is regarding teacher salaries. The House put in a provision to require some type of two-percent pay raise through a couple different ways for districts to provide that raise. But they gave districts an out which was a waiver. That waiver comes to the SBE so the SBE if the House-passed proviso was maintained would have to make a decision on granting waivers to districts not to provide their teachers a two-percent raise. Another proviso the SBE may be interested in is related to standards. The House passed

two provisos that prohibit the adoption, participation, and implementation of the next-generation science standards. This was adopted overwhelming on the House floor by a bipartisan vote. Mr. Ragley also mentioned national board certification; the House agreed with Dr. Zais' position to suspend new entrance into the program for the next fiscal year and those who currently have national board certification stipends would continue to get them. The House took a vote and agreed that by next fiscal year they would suspend new entries into the pool for national board certification.

Dr. Longshore asked Mr. Ragley with respect to the charter school athletics would the bill affect the course requirement grading that are in place in order to participate in athletics. Mr. Ragley said that currently the student does not have to meet a required GPA; they just have to pass all their courses. Dr. Longshore asked if a student is denied participation in athletics is their an appeal process. Mr. Ragley said that the way the law is written, if a district were to deny a student for a reason other than what is allowable may be subject to some type of litigation. Charter schools like public schools have to follow the High School League rules.

Dr. Zais commented that if the House version of the budget passes and the base student cost is \$2,012.00 that will represent an increase in base student cost of 24.8 percent over the last two years. This year it is \$1,775.00 and last year it was \$1,615.00. If it becomes \$2,012.00 that represents an increase of 24.8 percent over the last two years. Mrs. James said it is still below what it should be.

Mrs. James commented on the High School League. She said that currently if something goes before the High School League it comes to the SBE for appeal. Mr. Ragley said the reason the case came before the SBE this morning was because of a school-district mistake. The High School League has no role with regard to the SBE. They are run by the school districts. Mrs. James said she thinks that if the High School League cannot settle it themselves, it then comes to the SBE. Mr. Ragley said the running joke in the General Assembly is that the High School League is the fourth branch of government. They are under a lot of scrutiny right now. Mrs. James said that for the last two months the SBE has had a waiver request. Chair Thompson said that the high school requires students have to pass and if they do not make that then they are not eligible. Ms. Bosket said that this is not a High School League requirement. The requirement is specified in state statute by the General Assembly. This is different from the rules that govern the High School League. Districts are members of the High School League and ultimately they govern the High School League so the vast majority of bills go to the High School League and they are the final authority with the exception of, for example, the credit requirement in which case the student acted in good faith and it was based on erroneous information. The district superintendent brings that waiver before the SBE. That is one of very few instances where the SBE has the authority to act on an athletic issue that is beyond the scope or power of what the High School League can do. To be clear, the High School League is not under the SBE but there are specific statutes that weigh in when there is a need for an appeal but those are not very broad. Chair Thompson stated that he is not sure if the legislature took this into consideration but it needs to be spelled out somewhere that these students who may want to go in virtual school athletics to be sure they take the required number of units. If they had to make an appeal, he is not sure is responsible for setting up their schedules and this may come back to the virtual school principals or superintendents. Mr. Ragley said that assuming the bill is approved by the Senate and signed by the Governor, there will be some professional development that will need to be offered to their member schools to inform them what the changes are and they will put in place their processes.

Chair Thompson asked about the charter school bill to make sure all the dollars will stay with the school district but now you say that local money will be moved up with that particular student. Mr. Ragley said nothing in the bill affected locally-sponsored charter schools; they are still not getting their money.

X. OTHER BUSINESS

XI. ADJOURNMENT

There being no further business, the SBE adjourned at 3:30 p.m.