

MINUTES
State Board of Education Meeting

Date
Wednesday, March 14, 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 1:35 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; Thomas Shortt, EdD, Fifteenth Judicial Circuit; John Rampey, Sixteenth Judicial Circuit; and Mike Brennan, 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; 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 MEETINGS ON FEBRUARY 7 AND 8, 2012

Chair Thompson asked if there were any objections to approving the minutes for the SBE Orientation Meeting on February 7, the SBE Board Development Meeting on February 8, and the full Board meeting on February 8, 2012, as presented. He called for a vote and the motion carried unanimously.

III. APPROVAL OF STATE BOARD OF EDUCATION AGENDA FOR MARCH 14, 2012

Chair Thompson asked if there were any objections to approving the agenda for the SBE meeting on March 14, 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 February 9, 2012, Dr. Zais visited Pine Ridge Middle School in Lexington District Two in response to an invitation from a student to visit and have lunch with him. They were joined by the student body president. Dr. Zais later met with the principal and other administrators and toured the school. On February 10, he spoke to the South Carolina Educators for the Practical Use of Research and shared his vision for education in South Carolina. On February 14, he spoke to Leadership Columbia, which is a leadership development program for up-and-coming persons in their mid-thirties.

On February 17, Dr. Zais spoke to the district-level Teachers of the Year at their annual get together sponsored by the Center for Educator Recruitment, Retention, and Advancement, which is headquartered at Winthrop University in Rock Hill, South Carolina. On the same day, he visited with faculty, staff, and students at the Academy for Academics and Technology in Horry County. Dr. Zais said the difference between a career center and a career academy is that a career academy has not only the subjects related to their careers but also their standard academic subjects as well as their career-focused curriculum. The advantage of this is the integration of the two; they are not seen as in opposition to each other but are mutually supporting. Also on February 17, Dr. Zais visited Easterling Primary School and Marion High School, both in Marion School District One. He noted that all three districts (Marion One, Two, and Seven) in Marion County are in the process of merging into one school district that will have 8,000 students as opposed to the three districts that divided those numbers up.

On February 18, Dr. Zais spoke at the awards conference for the SC Council for Exceptional Children and helped present the awards. On February 21, Dr. Zais spoke at the South Carolina Conference of United Methodist Women at Epworth Children's Home in Columbia. On February 24, he visited with teachers, leaders, directors, and principals in three different career centers in Spartanburg. Each career

center is aligned with one of the seven school districts in Spartanburg County. Dr. Page McCraw, Director of Career and Technology Education at the SCDE, accompanied Dr. Zais on his visit.

On February 26, Dr. Zais led a panel of teachers, career center directors, and business leaders in a one-hour program discussing career technology education that was broadcast live on South Carolina Education Television (ETV). The "In Our Schools" program has been posted to the ETV Web site. On February 27, at the invitation of Senator Mike Rose, Dr. Zais attended a town hall forum at Ashley Ridge High School in Dorchester School District Two. The event was hosted by Senator Rose, and community members, educators, and the entire school board attended. Dr. Zais talked about his vision for South Carolina and responded to questions from the audience.

On March 6, Dr. Zais visited Dacusville Middle School, Crosswell Elementary School, and West End Elementary School in the Pickens County School District. All of these schools participate in the SCDE's Teacher Advancement Program (TAP), which is a program that provides incentives for teaching excellence. The program includes master and mentor teachers, has enhanced a sense of collaboration, and is focused on students' outcomes and successes. Dr. Zais said that TAP is a good program, and he was impressed with their work. Nine schools in Pickens County are TAP schools, and there are a total of 59 TAP schools in South Carolina. Teachers are rewarded based on value-added accomplishments and how much students have grown during the year. They have weekly professional development seminars. Dr. Zais commented that it was astonishing to see the teachers', mentor teachers', and principals' level of enthusiasm for the program. He stated that it is very hard work but pays off big time; the SCDE has done the research and TAP schools do well.

On March 7, Dr. Zais spoke to the South Carolina Association of Taxpayers and received their annual award as the South Carolina Administrator of the Year. On March 9, he presented and participated in a panel of mentor teachers, senior mentor teachers, and principals at the National TAP Conference. While at that conference, Whale Branch Middle School in Beaufort County was recognized as the most outstanding TAP school in the nation and received a \$50,000 prize, which does not go through the district but goes directly to the principal.

Legislatively, the SCDE submitted the ESEA flexibility waiver request for certain provisions of No Child Left Behind on February 28, 2012. Dr. Zais said that the SCDE met the February federal deadline and expressed appreciation to the parents, teachers, principals, administrators, school board members, business people, and the public who participated in the stakeholders meetings that were conducted at the SCDE and the 22 public meetings that the SCDE conducted around the state. He said that compared to other states our public engagement process far exceeded anything that the other 28 states who submitted waiver requests did.

The waiver has been posted online on the SCDE Web site. The SCDE has not heard anything back from the United States Department of Education (USED) other than acknowledgement that they have received our application and it complies with their standards and format guidelines. Dr. Zais stated that a lot of folks at the SCDE worked very hard in writing the proposal and went through multiple revisions based on input from the field and the public comment period. Specifically, he thanked Dr. Nancy Busbee, Mark Bounds, Scott English, and Jay W. Ragley. Dr. Zais gave a special nod of appreciation to Charmeka Bosket for leading the entire waiver project and the team, keeping everyone on task, and making sure that a quality proposal was submitted on time.

VI. PUBLIC COMMENT

No one signed up for public comment.

VII. STATE BOARD ITEMS

EP EDUCATION PROFESSIONS

Committee Report—David Longshore, PhD, Chair

David Longshore gave an overview of the action item placed on the consent agenda and stated that there was one item for approval and one item for information as follows.

FOR APPROVAL

- 02. State Board of Education TEACH FOR AMERICA (TFA) Guidelines Update (First Reading)**—Allison Jacques, PhD, Director, Office of Educator Certification, Recruitment, and Preparation, Division of School Effectiveness

Dr. Longshore stated that the SBE approved the Teach For America (TFA) guidelines last year. Last year was TFA's first year in our state. Last fall, 31 participants were hired in the approved districts. TFA would like to expand these successes throughout other districts.

The changes to the guidelines are the removal of percentage limitations in the content areas and removal of the geographic limitations. Originally, there was a recommendation for a certain number of elementary, special education, and elementary/secondary content areas and a limitation to specific districts in the Pee Dee area. In the first year, TFA submitted a request to add Orangeburg to the geographic list. This request was approved by the SBE. So, the two changes had to do with limitation regarding geographical areas and the other was related to the percentage of teachers the SCDE would accept in special education (SE) and in early childhood education (ECE). The motion adopted by the committee is to keep the cap on the geographical areas but to do away with the cap on the percentage of teachers going into SE and ECE.

David Blackmon asked why it was recommended to do away with the cap on ECE when there is an abundance of ECE teachers. Dr. Longshore said some of the committee members felt that some of the TFA teachers would not have the skills to teach reading and literacy in the early grades. Another point was the abundance of teachers; this was the argument against. He said that the argument for it was that the requests come from the districts, and we do not want to restrict the district's ability to hire TFA teachers. Dr. Longshore added that he would rather this decision be left up to the districts. He said that concerning the TFA teachers' ability to teach reading and literacy, it is possible that there may be a requirement that they take professional development that deals with reading and literacy.

Rose Sheheen said she is opposed to removing any caps. She feels like TFA was brought to South Carolina because of our critical needs areas. She said there are no other teachers in South Carolina that come without some kind of requirements and certification. She recognizes that

teaching is a skill and a gift, and it is something that not everyone can do. Our universities in South Carolina have a very rigorous system and requirements to graduate from education programs. She stated that she thinks this is unfair. Mrs. Sheheen moved to amend the motion to encourage and recommend to TFA that at least 50 percent of the TFA teachers come in the critical needs areas. Lyn Norton seconded the motion.

Dr. Zais said he supports Dr. Longshore's position that this decision should be left up to the districts. He stated that we have to depend on superintendents and principals to make the right decision to allocate their teacher resources to have the biggest positive impact on student learning. They know what their critical needs are and the various skills of their teachers. The superintendents and principals should make the decision as to where the teachers are placed.

Dru James asked why there were caps last year and no recommendation for caps this year. Mark Bounds said that there were geographical restrictions during the first year. Now that the program has proven successful, there is no need to continue the restrictions and that it is in the best interest of South Carolina to now go statewide.

Larry Kobrovsky commented that he agrees with the viewpoints of Dr. Zais and Dr. Longshore. Mr. Kobrovsky said that we had trouble attracting teachers in rural communities to bring new ideas and excitement and should not restrict the recruitment.

Regarding the motion by Mrs. Sheheen, Danny Varat asked what the definition of "encourage" is. Mrs. Sheheen said this is the terminology used in the guidelines, and Mark Bounds explained the use of the word "encourage" in the guidelines.

Lyn Norton said she agrees that we want the best and brightest to come, but the brightest in math or science does not mean they can teach a five- or six-year-old child to read. She said she has a doctorate in education but would not be qualified to teach a child to read. Dr. Norton added that it is vital that we have people in the classrooms who have the skills and training to teach these children.

Dr. Zais said that under our current system, 38 percent of our fourth graders are functionally illiterate, and 78 percent are reading below grade level. So, just because someone has a degree and is in the classroom teaching the first and second graders how to read does not mean that they are successful. Dr. Norton said she agreed with Dr. Zais's statement. She added, however, that she would also restate the fact that just because they are exceptional in high-level areas, do we want to continue to not teach the children. She said we need to put our emphasis on making sure the first- and second-grade teachers are able to teach reading. If these people are trained to teach reading before they go into an elementary classroom, then she will withdraw her objection. She cannot see someone who has a degree in physics teaching a first grader how to read.

Dr. Zais asked Josh Bell, Executive Director of Teach For America, to explain the study that the state of Tennessee did on the relative effectiveness of TFA versus teachers coming out of colleges. Mr. Bell said that TFA teachers in Nashville and Memphis were in the top three in all of the value-added subject areas. A growing body of rigorous research demonstrates the effectiveness of Teach For America corps members in the classroom. Recent studies from Louisiana, North Carolina, and Tennessee found that corps members have a positive impact on

student achievement. The Tennessee study identified Teach For America as the most effective of the state's 42 teacher preparation programs, with corps members demonstrating a greater impact on student achievement than the average new teacher in every evaluated subject area.

David Longshore stated that he understands the concerns expressed today regarding TFA teachers. But he added that having worked in a rural district, there have been many times when school started that they had no teachers in the lower grades. In many rural districts, the substitute list does not contain certified people. Dr. Longshore said that the districts would prefer a TFA teacher to start the school year over a substitute teacher who has no certification in any area.

Rose Sheheen commented that she is proud to say she is a teacher in South Carolina and that the teachers in South Carolina are excellent and hardworking. She thinks the TFA people are fine people, and we welcome them to South Carolina. However, in the last two years, we have had a surplus of ECE and SE teachers. Mrs. Sheheen said 4,000 teachers have lost their jobs, but Mr. Bell said he had plenty of people applying for those positions and was overwhelmed with qualified and certified teachers.

Dr. Zais asked if there were any ideas on how we can get those teachers to move to the rural areas where there are shortages. Mrs. Sheheen said that in the next few weeks TFA has to know the recruitment areas, and those jobs will be gone in the next few weeks. These students will be graduating in May or June; they will look for the jobs and the jobs will not be there.

Danny Varat said that it strikes him as doing districts a service by giving them a large pool of applicants from which to choose. We need to have faith in our superintendents to hire the right kind of teachers for their schools. Dr. Varat wants to be sure there is no alternative route for hiring these people. If there is not, he is comfortable.

Bonnie Disney asked if TFA is limited to rural districts that are having a difficult time getting teachers. Mark Bounds said that for now it is limited to the Pee Dee and some districts in Orangeburg.

Dru James motioned to amend the Ms. Sheheen's proposed amendment so that the language in the guidelines remains the same as it currently is, which is the cap of 20 percent on SE and 30 percent on ECE. Lyn Norton seconded the motion.

After Mark Bounds read the amended guidelines, Chair Thompson called for a vote on the amendment to Ms. Sheheen's amendment. . The vote was seven for and seven opposed. The motion to amend the amendment failed.

Chair Thompson called for a vote on Mrs. Sheheen's motion to amend the original recommendation to encourage TFA that at least 50 percent of the TFA teachers come in the critical needs areas. The vote was five for and eight opposed. The motion failed.

Chair Thompson called for a vote on the motion that was approved in committee, which is to adopt the revised guidelines but keep the cap on the geographical areas and to do away with the

cap on the percentage of teachers going into ECE and SE. The vote was eight for and six against. The motion carried.

Mike Brennan motioned to suspend the rules and provide second reading on the committee's report on the TFA guidelines. Larry Kobrovsky seconded the motion. The vote was five for and nine against. The motion failed.

FOR INFORMATION

03. **Annual Report on Individuals Who Have Applied for Certification in South Carolina Based on Qualifying for the Passport to Teaching Certificate through the American Board for Certification of Teacher Excellence (ABCTE)**—Mark Bounds, Deputy Superintendent, Division of School Effectiveness, and Falicia Harvey, PhD, Education Associate, Office of Educator Certification, Recruitment, and Preparation, Division of School Effectiveness

Dr. Longshore gave an overview of the annual report on individuals who have applied for certification in South Carolina based on qualifying for the Passport to Teaching Certificate through the American Board for Certification of Teacher Excellence (ABCTE). He stated that this is an alternative certification mainly for teachers in the science area.

Since 2007, 160 individuals have qualified for ABCTE. These individuals passed the ABCTE exams and have applied for certification in South Carolina. Of these, 113 have received at least one alternative route certificate. At least 60 individual districts have hired an ABCTE teacher. ABCTE has an overall retention rate of 63 percent. These teachers serve very specific content areas in the science areas, English, arts, and mathematics.

PL POLICY AND LEGISLATIVE

Committee Report—Dennis Thompson, Jr., Chair

Chair Thompson stated that a request had been made and approved in committee to add “Item 09, Pickens County School District Waiver Request of S.C. Code Ann. Section 59-39-160 (2004) to Grant an Athletic Waiver to a Pickens County Student” as an item under the “For Approval” section of the March 14, 2012, PL Committee Agenda. He gave an overview of Action Items 01, 02, and 09 and stated those items were placed on the Consent Agenda.

Chair Thompson reported that the PL Committee also received six information items as follows:

FOR INFORMATION

03. **Charter Schools in South Carolina**—Wayne Brazell, Superintendent, South Carolina Public Charter School District
04. **Regulatory Flexibility**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

05. **Reading Achievement**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research
06. **Uniform Grading Policy**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research
07. **USED Notification on Common Core State Standards**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research
08. **South Carolina Department of Education Board of Trustees Leadership Institute**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

SLA STANDARDS, LEARNING, AND ACCOUNTABILITY

Committee Report—Dru James, Chair

Dru James reported that there was one action item and three information items as follows.

FOR APPROVAL

01. **Recommendations for Appointments to the 2012 Review Panels for Instructional Materials**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Chair Thompson called for the vote that the SBE approve the recommendations for appointments to the 2012 Review Panels for Instructional Materials. The motion carried.

FOR INFORMATION

02. **Common Core Standards Update**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Dru James gave an overview of the Common Core Standards update. She said the SCDE continues to work to assist district implementation teams as they move forward with the transition process to Common Core Standards.

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

Dru James reported that Liz Jones and others from the Office of Assessment continue to attend meetings for the SMARTER Balanced Assessment Consortium (SBAC), and they return energized and excited about the ability to focus on one assessment consortia and the collaboration of state experts in the development of these assessments. She said that Ms. Bosket will send a Web address for the SBAC and that the SCDE has a link for the

Common Core Standards implementation. Mrs. James encouraged the SBE members to take a look at these Web sites.

- 04. Science Standards Cyclical Review Update**—Charmeka Bosket, Deputy Superintendent, Office of Policy and Research

Charmeka Bosket reported that the SCDE is beginning this review process and that it will not come before the SBE for first reading until 2013. Ms. Bosket stated that she wants the SBE members to be aware that the science standards are undergoing an update.

VIII. CONSENT AGENDA

Education Professions (EP)

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

- 01. Adopt Passing Scores for New Praxis Examinations in Special Education: Education of Deaf and Hard of Hearing Students, Special Education: Early Childhood, and Music: Content and Instruction**—Allison Jacques, PhD, Director, Office of Educator Certification, Recruitment, and Preparation, Division of School Effectiveness

Policy and Legislative (PL)

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

- 01. Lexington School District One Waiver Request Related to the State Board of Education Uniform Grading Policy**—Dr. Page McCraw, Director, Office of Career and Technology Education (CATE), Division of Accountability
- 02. Spartanburg School District Seven/Cleveland Elementary School's Waiver Request of the Statutory Start Date as Set Forth in S.C. Code Ann. § 59-1-425(A)**—Roy Stehle, Interim Director, Office of Federal and State Accountability, Division of Accountability
- 09. Pickens County School District Waiver Request of S.C. Code Ann. Section 59-39-160 (2004) to Grant an Athletic Waiver to a Pickens County Student**

Dr. Blackmon moved to approve the consent agenda as presented. John Rampey seconded the motion. The motion carried.

IX. LEGISLATIVE REPORT AND REQUESTS REGARDING REGULATIONS

Charmeka Bosket, Deputy Superintendent for Policy and Research, Office of Policy and Research

Charmeka Bosket reviewed three items: one is a letter addressed to Chair Thompson from Senator John Courson of the Senate Education Committee; the other is a selection from the regulation that is affected by the letter that Senator Courson and the Senate Education Committee (SEC) sent to the SBE; and the third item is the full regulation that is subject to discussion in the letter that Senator Courson issued. The SBE approved the regulation which would update the Adult Education regulation. In the update that was sent for the regulation, the Senate raised questions surrounding the issue of funding. In the letter that Senator Courson provided, he explained the language change that they would like to have made to the regulation in order for the Senate to approve. Ms. Bosket stated that the Legislature does not amend regulations; they approve or they do not approve. If there is a problem, there is an opportunity for the SBE to withdraw the regulation, make the change, and then resubmit. The resubmission process is something the SCDE would pursue. However, prior to pursuing that, the SCDE would need the SBE to withdraw the document. The document is number 4199, and it addresses Regulation 43-259. It would be amended to revise the first sentence in the affected section to include the word "state."

Ms. Bosket said that in the single sheet excerpt, the SCDE has taken the portion of the regulation that the SEC had questions about and has shown where they would like the insertion to take place. So, the SBE will see the originally submitted information to the Legislature; then the proposed change. Ms. Bosket stated that the proposed change is the same as what appears in the Courson/SEC letter sent to the SBE earlier this week. The SCDE recommends that the SBE approve a motion to withdraw document 4199, Regulation 43-259 and amend it to be consistent with the Senate's letter.. The concern that the Senate has is that the SBE would be putting language in regulation what is currently only in proviso. . The modification would pull out the language which is specifically tied to the proviso, and the regulation would not be contingent upon a proviso that is not guaranteed from one year to the next.

Chair Thompson stated that the way it was originally written was that the SCDE would be totally responsible for providing a set amount per school district to fund Adult Education, and the recommended change is that the SCDE would provide a certain amount of money per pupil for Adult Education.

Dru James asked if Ms. Bosket could reassure her about the fact that this language was recommended to the SBE by the SCDE, and that it appears to be something that the Legislature cannot accept. Ms. Bosket answered that the modification to the regulation would strengthen the regulation as long as the existing proviso is in place. The proviso would continue to have an effect on spending. The concern that the Legislature has expressed would ultimately disallow the regulation from passing. As long as the GA continues to pass the proviso, which the SCDE recommended and supported by including the language in the regulation, the effect of the proviso will continue. However, if that changes, the SBE would not want the other benefits of the regulation to fail simply because there is language that will not pass the Legislature. The decision before the SBE is to make the change so that the regulation will pass or to completely revisit the entire regulation that the SBE voted to send to the General Assembly. The Senate has provided the language that will make the proviso less objectionable. Ms. Bosket said that the SCDE is comfortable with the recommended changes but stated that the SCDE's task is to transmit what the SBE decides to do. The necessity of whether the SCDE is comfortable with the legislative change to the regulation is a variable for SBE consideration but ultimately the SBE determines to make the change. The proviso remains in place until there is a change in Legislative will. The SCDE did make the recommendation for the entire regulation, and this does not undermine the recommendation that the SCDE brought before the SBE earlier this year.

Tom Shortt referred to the single-page handout and asked what we are looking for concerning total hours of attendance in the previous school year. Chair Thompson stated that the key point the Senate and Legislature is trying to point out is the formula per pupil. Whatever the total pot is, you divide by the number of students at the end of June 2012 and that is what is received.

Teri Fetner Phillips, Education Associate in the Office of Adult Education, explained that the Office of Adult Education is funded by the student having to take a placement test and then having to attend at least 12 hours in that program. They continue many more hours for most students to make educational gains. That is the basis of how the funding is done; that is how the SCDE is funded federally, and the same guidelines are used on the state level. Dr. Zais commented that Senator Courson is trying to give more flexibility to the GA and not be restricted by rigid algorithm of formula.

Ms. Bosket said the SBE can promulgate regulations and the GA can adopt or support those regulations, but the power rests with the GA. In looking at the single-page handout, if the SBE wishes the regulation to have a chance to pass in the GA, this change needs to be made. If the SBE is willing to sacrifice the entire regulation over this change, which is the SBE's authority as a policy-setting venue, the regulation will not go into effect unless the GA allows it. The question is, having this letter from Senator Courson, is the desire of the SBE to amend and resubmit through the SCDE or to withdraw the regulation which will fail.

Dr. Longshore stated that if the SBE does not change the regulation, it will not be approved, and the SBE needs to go ahead and vote. He also asked about the location of the original language. Ms. Bosket explained that the top portion is the SBE's language, which the SCDE transmitted on the SBE's behalf. The bottom language is what Senator Courson provided to make the regulation passable. Michael Blue reminded the SBE that the letter indicates the first sentence.

Tom Shortt said his main concern about the total hours of attendance is not about the formula. He said we are talking about student performance before moving on; not total hours they sat in the classroom. Dr. Shortt stated that he thought the interest is not just hours in the classroom, but performance.

Mike Brennan motioned that the SBE approve Senator Courson's request. Dr. Blackmon seconded the motion.

Danny Varat questioned how many regulations the SCDE promulgated through the SBE since Dr. Zais became superintendent. Ms. Bosket said approximately 20, and that this is the first regulation to be withdrawn.

Chair Thompson called for the vote. The motion carried.

Ms. Bosket gave a Legislative update on the budget request increase. She said the SBE submitted a request for an increase to the amount for fiscal year 2013. The House has been debating the Appropriations Act. The House and the Senate have received the budget request letter from the SBE Chair. However, as it is right now, the requested increase has not been adopted. The level projected for 2013 will remain at \$37,193 unless changes take place today on the House floor or there is a change in the Senate.

Also in the Appropriations Act, a matter relevant to the SBE is a proviso that would prohibit any expenditure of funds to adopt, promote, or implement the next generation of science standards. That proviso was adopted by the House by a vote of 68 to 33. There is a discussion taking place across states about science standards, and the draft will be ready in April. The state is going through its cyclical review process in science standards. A proviso has been adopted by the House that would prohibit any activity surrounding next-generation science standards.

Another proviso will create a teacher-salary study committee which will examine the current salary schedule, its relationship to the Education Finance Act, the Education Improvement Act, and the ability to hire and retain quality teachers. This study is currently in the House.

A proviso was attempted, but failed, that would have required the SCDE to accept all federal funds regardless of the strings attached. That proviso failed 70 to 46 on one vote, and then by 69 to 46 on another vote.

An additional proviso that was adopted affects school districts but would provide a waiver that would need to come before the SBE. This proviso would require salary increases of up to 2 percent for school-level staff and administration who are not paid on the teacher salary schedule. If there is a district that feels the required match is too much of a burden, the district can, upon approval of the SBE, get a waiver from the salary increase.

Another proviso pertains to teacher salary step increases. As the state entered the recession, districts were granted the flexibility to suspend step increases. This option has been available for two years. Some teachers are in districts where there has not been a step increase for one year; some for two years. In some districts, there has not been a suspension on step increases. This proviso would require districts to vote to suspend step increases so that the decision would have to come before the SBE, the local school districts, and be publicized so it would appear on the Web site if they choose not to pursue the increase.

A proviso that may also possibly affect standards implementation is currently in the House. There is a proposed \$3 million reduction of funds on the professional development line for the SCDE. A reduction of that amount would affect the execution of various professional development functions. The SCDE will wait to see what comes of that proposed change. This will not be a proviso; it would be an actual line item in the SCDE's budget.

Chair Thompson asked that Ms. Bosket send the proviso numbers to the SBE members. Dr. Longshore asked Ms. Bosket if there was a proviso for raises for teachers for 2 percent and if the district feels they cannot do that, they could come before the SBE for a waiver. Ms. Bosket explained that the proviso Dr. Longshore referenced would have districts who do not wish to offer the 2-percent raise submit a waiver to the SBE. Upon approval by the SBE, the SCDE would have to notify, on the SBE's behalf, the Chairman of the Senate Finance Committee and the House Ways and Means Committee by September 1, 2012, regarding those districts that have requested a waiver, and the waivers that were granted to particular districts. The SBE would make the decision; some the SBE would approve and some the SBE would not approve, but the GA would have to be notified of all waiver requests.

Ms. Bosket said there is a separate proviso that deals with the step increase. That would be a local decision and the public would have to be notified of their decision. Dr. Longshore said that at some

point there will have to be a reconciliation and asked where the money is coming from. Scott English stated, for clarification, what the House intended to do was not to provide for a step increase. They wanted to put a 2-percent increase for all district teachers and all employees in the budget. This funding would come from the base student cost, the EFA money that is included in the Appropriations Act. There is a separate proviso that dictates that the districts will suspend the step increases this year. If districts are not, for whatever financial reason, able to make the 2-percent pay increase to some or all the employees in their district, they will have to come to the SBE to get a waiver.

Chair Thompson asked if this was tied to the teacher supply money. Danny Varat said the first one, at a minimum, amends permanent law and is a violation of Senate rules. Dr. Varat commented that he does not think the SBE will end up having to give these waivers.

X. OTHER BUSINESS

There was no further business.

XI. ADJOURNMENT

There being no further business, the SBE adjourned at 3:10 p.m.