

South Carolina House of Representatives Committee on Education and Public Works  
K-12 Subcommittee  
Hearing on H 3728; South Carolina Transparency and Integrity in Education Act  
January 23, 2023

*Testimony by Sherry East, president of The South Carolina Education Association:*

Chairman Bradley and committee members:

My name is Sherry East. I am a high school science teacher from Rock Hill. I am currently serving as the president of The SC Education Association.

I rise today to speak on SC House bill 3728, the South Carolina Transparency and Integrity in Education Act.

It is worth mentioning that much of what is outlined in H 3728 already occurs in our state's public schools. Furthermore, we agree with many of the General Assembly's intent as outlined in section 59-29-600 of the bill.

We have concerns, however, with certain aspects of the proposed legislation. Those concerns raise additional questions which we encourage you to consider as you debate H 3728's content.

Regarding Section 59-29-600 Subsection A, Line 7, which states, "ideological and viewpoint biases should not be presented as fact to students who receive instruction in public school," we ask who specifically determines what ideological and viewpoint biases should not be presented as fact?

Line 8 in the same section talks about how "parents and students can raise awareness and have their concerns about objectionable material heard and addressed whenever a topic is presented in a way that is biased toward one ideology," but the section does not outline how someone would raise a concern. We realize a complaint process is outlined later in the bill, but it references Section 59-29-620.

Regarding section 59-29-620, Subsection A, Line 7b, "library and media center material, both printed and electronically accessible, must be age appropriate and grade appropriate," we ask who determines that criteria?

Line C in the same section also raises questions. It states "[A] student, administrator, teacher, staff member, other school or district employee, or volunteer may not be required to engage in any form of mandatory gender or sexual diversity training or counseling unless it is prescribed as part of a corrective action plan pursuant to Section 59-29-630(J)." Are we essentially allowing employees to opt out of training and professional development?

With respect to the overall criteria as outlined in Section 59-29-640, we ask what penalties are in place for an individual who is proven to have willingly filed a false report? We also encourage the committee to outline a specific chain of custody for all

information gathered during an investigation and specify who has access to what documents and at what time to ensure no leaked material enters the public domain. We also recommend criminal penalties for any individual who willing leaks and shares any document related to an investigation.

Finally, regarding Section 59-28-180, parental involvement cannot be legislated. Many of our teachers would welcome more involvement on the part of our parents and guardians and welcome any support which encourages them to do so, however.

In conclusion, we hope you will consider our concerns.

I am happy to take any questions the subcommittee many have.