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*Week 2: January 16-18, 2024*

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The SCEA President Sherry East with Rep. Russell Ott (D-Calhoun)

# Introduction

We hope you have had a productive week! In this issue of Members Matter we will update you on legislative bills discussed this week and ways you can advocate for public education.



## H.4624: Gender Identity

On Wednesday, the House passed [H.4624](#) by an 82-23 vote after six hours of debate.

Most of this bill pertains to medical care and seeks to ban minors from receiving “gender-affirming care.” There is one section that prevents public school employees from “withholding from a minor’s parent or legal guardian information related to the minor’s perception that [their] gender is inconsistent with [their] sex.” While the most problematic language regarding educators has been removed, this bill still puts LGBTQ students at risk and prevents them from accessing necessary gender-affirming care. The SCEA is concerned that H. 4624 would prevent a safe environment for educators to effectively communicate with students.

During a committee hearing last week, several doctors, transgender individuals, educators, and parents of transgender children spoke about the harm this bill would cause. You can watch that hearing [here](#).

One of our partner organizations, the ACLU-SC, released this [helpful op-ed](#) of common myths regarding gender-affirming care. You can also check out resources from [PFLAG](#), [Harriett Hancock Center](#), and the [Alliance for Full Acceptance \(AFFA-SC\)](#).

This bill now moves to the Senate, where it will go through committee. We will provide updates about public comment, which should be scheduled in the coming weeks.

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## S.305: Work Experience for New Teachers

For individuals seeking an initial educator certificate, the Senate has proposed counting prior relevant work experience towards certification and to allow educators to start on a higher salary step. If passed, [S.305](#) would allow individuals with at least five years of relevant experience, within ten years prior to seeking the certificate, to count those years towards a higher salary step.

The SCEA feels that this could help recruit and retain educators. **We encourage members to carefully review the text of this bill** and send any feedback to President Sherry East at [seast@thescea.org](mailto:seast@thescea.org).

The bill is scheduled for special order, meaning it will be taken up on the Senate floor this Tuesday.

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## S.905: Read to Succeed

Last week, the Senate Education Committee gave a first reading to [S.905](#), which would eliminate Read to Succeed requirements for educators who are not directly involved in teaching early literacy. It also directs educators to use the "Science of Reading" approach to teach literacy and reading.

In addition, this bill requires third graders who cannot demonstrate reading proficiency be held back, and extends summer reading camps so they start earlier than third grade.

Please send feedback on this bill to President Sherry East at [seast@thescea.org](mailto:seast@thescea.org) by Monday at 10:00am.

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## State Board of Education Regulation 43-170

Last fall, the State Board of Education (SBE) released a proposed change to the regulations regarding selection of instructional materials.

As a reminder, this proposed regulation establishes two main guidelines for instructional materials:

- **Age and developmentally appropriate:** materials must be "suitable to particular age groups...based on developing cognitive, and behavioral capacity typical for the age group." The proposal also states that a material is not age appropriate if it contains visual depictions or descriptions of "sexual conduct" as defined in state statute or if it is considered "indecent" or "obscene" under the broadcast guidelines for the Federal Communications Commission.
- **Educationally suitable:** the material must be aligned with the "instructional program of the school and district," which means it must be connected to the standards laid out in the Profile of a South Carolina Graduate.

As it currently stands, this regulation would ban classic works of literature such as Romeo and Juliet, The Odyssey, The Scarlet Letter, The Adventures of Huckleberry Finn, and others.

A public hearing will be held on this regulation at **1:00pm on February 13th** at the Rutledge Conference Center in Columbia.

We are asking members to contact the State Board of Education and ask them to vote against this regulation change. You can click the link below to send an email through our Action Center, or you can email your State Board of Education member directly.

You can find your SBE member [here](#). **Written comments must be provided by 5 pm on Jan. 22, 2024.**

[Click Here to Send Your Email](#)

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## Education Bills That Moved This Week

### [HB4624: GENDER REASSIGNMENT PROCEDURES \(Hiott, D\)](#)

A bill to amend the South Carolina Code of Laws by adding Chapter 42 to Title 44 so as to define gender, sex, and other terms, to prohibit the provision of gender transition procedures to a person under eighteen years of age, to provide exceptions, to prohibit the use of public funds for gender transition procedures, and to provide penalties; and by adding section 59-32-36 so as to prohibit public school staff and officials from withholding knowledge of a minor's perception of their gender from the minor's parents, among other things.

1/18/2024 - Read third time and sent to Senate

1/18/2024 - Introduced and read first time

1/18/2024 - Referred to Committee Senate Medical Affairs

### [HB4700: SOUTH CAROLINA SOCIAL MEDIA REGULATION ACT \(Newton, W\)](#)

A bill to amend the South Carolina Code of Laws by adding Article 9 to Chapter 5, Title 39 so as to provide

definitions; to provide that a social media company may not permit certain minors to be account holders; to provide requirements for social media companies; to provide that a social media company shall provide certain parents or guardians with certain information; to provide that a social media company shall restrict social media access to minors during certain hours; to provide for consumer complaints; to provide that the consumer services division has authority to administer and enforce certain requirements; to provide for an annual report; to provide for a cause of action; and to provide that certain waivers and limitations are void.

1/18/2024 - House Judiciary: Constitutional Laws Subcommittee, (First Hearing)

**[SB305: WORK EXPERIENCE CREDIT FOR NEW TEACHERS \(Young, Jr., T\)](#)**

A bill to amend the South Carolina Code of Laws by adding Section 59-25-60 so as to provide that an individual's prior work experience may be awarded on an initial teaching certificate if the prior experience is in or related to the content field of the certificate, and to provide that existing certificate holders may also receive the same credit for prior work experience.

1/18/2024 - Special order, set for January 18, 2024

**[HB3309: SEIZURE SAFE SCHOOLS ACT \(Gilliam, L\)](#)**

A bill to amend the South Carolina Code of Laws by enacting the "Seizure Safe Schools Act" by adding Section 59-63-97 so as to require the establishment of seizure action plans in public schools, and to provide requirements for such plans and their implementation, among other things.

1/17/2024 - House EPW: K-12 Subcommittee, (Bill Scheduled for Hearing)

**[SB245: BOOSTER CLUBS \(Kimbrell, J\)](#)**

A bill to amend the South Carolina Code of Laws by adding Section 59-17-170 so as to provide that a person with certain criminal convictions is prohibited from serving as the treasurer of a booster club, to provide that each booster club within a school district shall annually register with the school board, to provide that the school board must run a criminal background check to determine if the treasurer of a booster club is prohibited from serving in that role due to a criminal conviction, and to define necessary terms.

1/17/2024 - House EPW: K-12 Subcommittee, (Bill Scheduled for Hearing)

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## South Carolina Women in Leadership Newsletter

South Carolina Women in Leadership (WIL), one of The SCEA's coalition partners, sends out a weekly newsletter with updates about women in politics, including upcoming workshops, important campaign updates, and other ways to get involved to elect more women to office.

You can read the full newsletter [here](#).

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## Governor's State of the State Address

Governor Henry McMaster will give the annual State of the State address Wednesday, January 24 at 7:00 pm. It will be available to watch on SCETV and on the SCETV website, which you can access [here](#).

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## Upcoming Meetings of Interest

Below are meetings scheduled for next week on bills of interest to you. You can click on the date link to view the agenda and the bill number to see the legislation.

**[Tue 1/23 in Blatt Room 433:](#)**

[S 245](#) (Booster Clubs)

[H 3309](#) (Seizure Safe Schools Act)

**[Tue 1/23 2:30 PM in Blatt Room 516:](#)**

[H 4700](#) (South Carolina Social Media Regulation Act)

[Wed 1/24 10:00 AM in Gressette Room 308:](#)

[S 905](#) (Read to Succeed)

[Wed 1/24 10:00 AM in Blatt Room 403:](#)

[H 4823](#) (Expedited Licensing Process)

[Wed 1/24 1:30 PM in Blatt Room 513:](#)

[S 782](#) (Jasper County School District)

[Wed 1/31 10:00 AM in Gressette Room 209:](#)

[S 905](#) (Read to Succeed)

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## Introductions of Interest

Below are bills that were introduced that may be of interest to you. We have provided a brief description as well as a link to the full text of each bill. Please review and let us know if you have any comments or concerns.

### **H. 4842: Age-appropriate Design** (Guffey)

Representative Brandon Guffey (R-York) introduced legislation to enact the "South Carolina Age-Appropriate Design Code Act". This act would require covered entities, including legal entities that are operated for the profit of its shareholders or other owners if it meets certain requirements, to complete a data protection impact assessment for the online service, product, or feature that is reasonably likely to be accessed by children. It would also be required to review and modify all data protection impact assessments as necessary, provide the Attorney General a list of all data protection impact assessments and a copy of the assessments within five business days of a request, configure all default privacy settings provided to children to offer a high level of privacy, provide any privacy information concisely and prominently on the product or service, and provide prominent and accessible tools to help children exercise their privacy rights.

This bill prohibits a covered entity from processing the personal data of any child in a way that is inconsistent with the best interests of children, profile a child by default unless necessary and there are appropriate safeguards in place, process any precise geolocation information of children by default, use dark patterns to cause children to provide personal data beyond what is reasonably expected, or allow a child's parent or any other consumer to track the child's location without providing an obvious signal.

This bill was referred to the House Judiciary Committee.

### **S. 965: Vaccination Discrimination Prevention Act** (Massey)

Senators Shane Massey (R-Edgefield) and Tom Corbin (R-Greenville) introduced legislation to prohibit the State or any of its political subdivisions, including a school district, from enacting a COVID-19 vaccine mandate and provide options, including unemployment benefits, if the State or any of its political subdivisions are subject to certain federal requirements.

If a private employer terminates or suspends an employee because they did not receive a COVID-19 vaccine, that employee would be eligible for unemployment benefits. This bill also provides restrictions for private employer vaccine mandates and requires certain vaccine exemptions are honored.

This bill also prohibits any person from being discriminated against based on their vaccination status.

This bill was referred to the Senate Medical Affairs Committee.

### **S. 972: Greenwood County School District 50, Reapportioned**, (Garrett)

Senator Billy Garrett (R-McCormick) introduced legislation to reapportion the nine single-member districts from which the trustees of Greenwood County School District 50 are elected, to redesignate the map number on which these districts are delineated, and to provide demographic information pertaining to these reapportioned districts.

This bill is currently residing in the Senate.

**H. 4864: Teacher Bill of Rights** (Rose)

Representative Seth Rose (D-Richland) introduced legislation to provide all public school teachers in South Carolina the right to have discretion concerning discipline or instructional decisions, be free from fear of frivolous lawsuits, work in a safe and secure environment, unencumbered daily planning time, a salary commensurate with that of the southeastern average, be free of excessive paperwork, additional compensation for work time requires above contracted days, and receive leadership and support from school and district personnel.

This bill was referred to the House Education and Public Works Committee.

**H. 4866: Smart Heart Act** (Lawson)

Representatives Brian Lawson (R-Cherokee), Jackie Hayes (D-Dillon), Murrell Smith (R-Sumter), and Dennis Moss (R-Cherokee) introduced legislation to enact the "Smart Heart Act" to require each public school to develop a cardiac emergency response plan to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar emergency on school grounds. School officials would work directly with local emergency service providers to integrate the cardiac emergency response plan into the community's EMS protocols.

This bill would also require every public and private school from grades nine through twelve to establish, review, and annually rehearse an athletics emergency action plan for responding to incidents that take place during student participation in sports.

Automated external defibrillators would be required to be located onsite of each public high school and made available in an unlocked location within a three-minute walk of each school athletic venue. All athletic coaches would be required to obtain and maintain training in cardiopulmonary resuscitation, first aid, and the use of the automated external defibrillator, among other requirements.

This bill was referred to the House Education and Public Works Committee.

**H. 4872: Campus Security** (Haddon)

Representatives Patrick Haddon (R-Greenville), Cal Forrest (R-Saluda), and Bill Hixon (R-Edgefield) introduced legislation to allow the Governor's School for Agriculture at John de la Howe, the Governor's School for Science and Mathematics, and the Governor's School for Arts and Humanities to establish and maintain campus security departments.

This bill was referred to the House Education and Public Works Committee.

**H. 4876: Dorchester County School Board District 4**, Candidate Filing (Jefferson)

Representatives Joseph Jefferson (D-Berkeley), Gilda Cobb-Hunter (D-Orangeburg), Robby Robbins (R-Dorchester), Gil Gatch (R-Dorchester), Chris Murphy (R-Dorchester), and Gary Brewer (R-Charleston) introduced legislation to change the candidate filing method for the Board of Trustees of Dorchester County School District 4 from the petition method to the filing of a statement of intention of candidacy with the Dorchester County Board of Voter Registration and Elections.

This bill was referred to the Dorchester Delegation.

**S. 977: Smart Heart Act** (Gambrell)

Senator Michael Gambrell (R-Anderson) introduced legislation to enact the "Smart Heart Act" to require each public school to develop a cardiac emergency response plan to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar emergency on school grounds. School officials would work directly with local emergency service providers to integrate the cardiac emergency response plan into the community's EMS protocols.

This bill would also require every public and private school from grades nine through twelve to establish, review, and annually rehearse an athletics emergency action plan for responding to incidents that take place during student participation in sports.

Automated external defibrillators would be required to be located onsite of each public high school and made available in an unlocked location within a three-minute walk of each school athletic venue. All athletic coaches would be required to obtain and maintain training in cardiopulmonary resuscitation, first aid, and the use of the

automated external defibrillator, among other requirements.

This bill was referred to the Senate Education Committee.

**H. 4868: Florence School District 3, Reapportioned**

(Kirby)

Representatives Roger Kirby (D-Florence), Phillip Lowe (R-Florence), Jay Jordan (R-Florence), and Robert Williams (D-Darlington) introduced legislation to reapportion the boundaries of the single member election districts that compose Florence County School District Number Three and provide demographic information pertaining to the reapportioned election districts.

This bill was referred to the Florence Delegation.

**H. 4892: Anderson County Board of Education, Districts Reapportioned** (Thayer)

Representatives Anne Thayer (R-Anderson), Jay West (R-Anderson), Don Chapman (R-Anderson), Thomas Beach (R-Anderson), April Cromer (R-Anderson), and Craig Gagnon (R-Abbeville) introduced legislation to reapportion the districts from which Anderson County Board of Education members are elected by updating demographics, and to reapportion Anderson County School District 1 by updating demographics.

This bill was referred to the Anderson Delegation.

**H. 4894: Enhanced Penalties** (Pope)

Representatives Tommy Pope (R-York), David Hiott (R-Pickens), Raye Felder (R-York), and Brandon Newton (R-Lancaster) introduced legislation to create enhanced penalties for assault and battery convictions against an educational professional or law enforcement officer during the performance of their official duties, including the requirement for up to five years of additional imprisonment.

This bill was referred to the House Judiciary Committee.

