



Week 9: March 5 - March 7



The SCEA President Sherry East with NAACP President Brenda Murphy at the oral arguments for our voucher lawsuit on Wednesday.



Voucher Lawsuit

In October, The SCEA, along with public school parents and other partner organizations, filed a lawsuit against the newly instituted voucher program that establishes the Education Scholarship Trust Fund, which will provide eligible families up to \$6,000 to send their child to a private school.

In December, the South Carolina Supreme Court announced that they had granted our request for a hearing on this voucher scheme. Oral arguments for the lawsuit took place this past Wednesday.

Our attorneys argued that this law violates numerous provisions of the South Carolina Constitution:

- First, Article XI, § 4 of the South Carolina Constitution prohibits the use of public funds for the direct benefit of private schools. In violation of this clear limit, S.39 requires the South Carolina Department of Education to transfer public funds to private schools for their direct benefit.
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- Second, by paying for the education of certain South Carolina students in private schools that are not free of charge nor open to all, the voucher program violates the requirement in Article XI, § 3 of the constitution that the State provide for the education of its children through a “system of free public schools open to all children” or other public educational institutions.
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- Third, the voucher program violates Article X of the South Carolina Constitution because it uses public funds without a sufficient public purpose, as the private schools funded by the program are not required to provide clear educational benefits in exchange for receiving public funds and may discriminate in their operations.
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- Fourth, S.39 charges the state Superintendent of Education with administering and overseeing the voucher program, impermissibly expanding the authority of the office of the Superintendent beyond its sole, constitutionally defined role as head of the public education system.

You can watch a recording of the hearing [here](#). You can read the Post & Courier’s summary of it [here](#).

H.5164: Universal Voucher Expansion

Last week, House leadership introduced a bill to expand the Education Scholarship Trust Fund. [H.5164](#) would eliminate the existing income-based eligibility requirements, making vouchers available to every South Carolina family.

On Tuesday, the House Education & Public Works (EPW) K-12 Subcommittee favorably reported the bill, and the full House EPW Committee took it up on Wednesday.

Wednesday’s discussion focused on requirements for homeschooling instruction. After a very long and confusing discussion, the EPW Committee passed an amendment that allows parents who use voucher funds for homeschooling to be exempted from the existing curriculum/attendance/reporting requirements.

In other words, parents who choose to homeschool and use voucher funds would be exempted from having to report how they are using those funds.

The SCEA strongly opposes this bill because we believe that any voucher program violates our state constitution, and we believe that public money belongs in public institutions, including our education system. We submitted a letter in opposition to this bill, which you can read [here](#).

The House Education & Public Works Committee gave this bill a favorable report, so it now goes to the full House. Click the link below to email your Representative and ask them to oppose this bill:

[Click Here to Send Your Email](#)

Budget and Education Provisos

On Thursday morning, the House Ways & Means Budget Subcommittee gave a briefing on their budget proposals.

The budget recommendations from the public education subcommittee include raising starting teacher pay to \$47,000, extending the step schedule five years so that it ends at 28 steps instead of 23, and keeps the existing 5 lanes on the salary schedule.

[You can view the budget briefing presentation here.](#)

If you would like to contact your representative to give feedback on the budget, click the link below!

[Click Here to Contact Your Representative](#)

H.4649: Security Personnel in Schools

[H.4649](#) would allow school districts with more than 15,000 students to hire private security companies to provide security for schools. Individuals and companies providing security services must be licensed as a security business, and schools would still have to use school resources officers as directed by law.

Last week, the House Education & Public Works Committee favorably reported on this bill. On Wednesday, several Representatives requested debate on this bill, so it will likely be taken up in the next couple weeks. We will continue to monitor and provide updates.

H.4290: DEI in Education

On Thursday, the House Education & Public Works Higher Education Subcommittee discussed [H.4290](#), which would ban universities from requiring Diversity, Equity, & Inclusion (DEI) training; prevent them from hiring or admitting students based on race, sex, gender, or ethnicity; bans universities from requiring or considering diversity statements as part of an admission or employment application; and requires universities to report on an annual basis the total number of administrative and non-teaching positions they have that relate to DEI.

Several people gave testimony to the subcommittee on this bill and every single one of them opposed it. Students and faculty shared how they've benefited from DEI policies, advisors shared how DEI training has helped them better serve students, and concerned citizens spoke about how the lack of DEI initiatives in their universities caused them harm. Many of those who testified warned that this would make the educator shortage worse and hamper educator recruitment efforts.

The subcommittee voted to adjourn debate without taking action on the bill. We will continue to monitor and provide updates as they occur.

South Carolina Women in Leadership Newsletter - SC Supreme Court Changes

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

This week's newsletter discusses the appointment of new justices to the South Carolina Supreme Court and potential changes to the judicial selection process. Upon the mandatory retirement of Chief Justice Kaye Hearn last year, South Carolina became the **only state in the country with an all-male Supreme Court**. Upon Chief Justice Don Beatty's mandatory retirement this year, SC may become the only state to have an **all-white, all-male Supreme Court**.

[Check out the newsletter here.](#)

Education Bills That Moved This Week

[HB4649: PRIVATE SECURITY SERVICES IN PUBLIC SCHOOLS](#)

(Bannister, B)

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE CERTAIN SECURITY PERSONNEL TO PROMOTE SAFETY AND SECURITY ON SCHOOL PREMISES IF LICENSED AS A PROPRIETARY SECURITY BUSINESS, AND TO PROVIDE DISTRICTS REMAIN OBLIGATED TO USE

SCHOOL RESOURCE OFFICERS AS OTHERWISE PROVIDED BY LAW; BY AMENDING SECTION 40-18-60, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSURE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATION, SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM PRIVATE SECURITY AND INVESTIGATION AGENCY LICENSURE REQUIREMENTS, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

- 3/6/2024 - Member(s) request name added as sponsor: Williams, Henegan
- 3/6/2024 - Debate adjourned
- 3/7/2024 - Amended
- 3/7/2024 - Requests for debate -Rep(s). Ott, Bamberg, Felder, Ligon, Henderson-Myers, Gilliard, King, Kirby, Henegan, Clyburn, Pendarvis, Jefferson, Dilliard
- 3/7/2024 - Member(s) request name added as sponsor: Ligon

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.

- 3/7/2024 - Ratified R 112

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.

- 3/5/2024 - Committee report Senate Medical Affairs: Favorable with amendment
- 3/6/2024 - Scrivener's error corrected

HB4655: UNSTRUCTURED AND SELF-DIRECTED RECESS IN PUBLIC SCHOOLS

(Haddon, P)

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND RECESS IN FOUR-YEAR OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY"; TO PROVIDE THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION SHALL TAKE CERTAIN MEASURES TO CONFORM THEIR RESPECTIVE REGULATIONS AND RULES TO THE PROVISIONS OF THIS ACT; AND TO CLARIFY THAT THE PROVISIONS OF THIS ACT PREVAIL TO THE EXTENT THEY CONFLICT WITH ANY SUCH REGULATIONS AND RULES.

- 3/5/2024 - Committee report House Education and Public Works : Favorable with amendment
- 3/6/2024 - Member(s) request name added as sponsor: Henderson-Myers, Hart, King, Williams, Henegan

HB4709: CURSIVE WRITING COURSEWORK

(Rivers, Sr., M)

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-15, RELATING TO THE REQUIREMENT THAT CURSIVE WRITING BE TAUGHT IN PUBLIC ELEMENTARY SCHOOLS, SO AS TO SPECIFY THAT THE CURSIVE WRITING INSTRUCTION MUST BEGIN IN SECOND GRADE AND CONTINUE IN EACH GRADE THROUGH FIFTH GRADE.

- 3/5/2024 - Introduced and read first time
- 3/5/2024 - Referred to Committee Senate Education

Upcoming Meetings of Interest

Introduction of Interest

