

CHAPTER 156  
Child Early Reading Development and Education Program

Editor's Note

2014 Act No. 284, Section 3, provides as follows:

"SECTION 3. This act takes effect upon approval by the Governor and is subject to the availability of state funding."

**SECTION 59-156-110.** South Carolina Child Early Reading Development and Education Program.

There is created the South Carolina Child Early Reading Development and Education Program which is a full day, four-year-old kindergarten program for at-risk children which must be made available to qualified children in all public school districts within the State. The program must focus on:

- (1) a comprehensive, systemic approach to reading that follows the State Reading Proficiency Plan and the district's comprehensive annual reading proficiency plan, both adopted pursuant to Chapter 155, Title 59;
- (2) successfully completing the readiness assessment administered pursuant to Section 59-155-150;
- (3) the developmental and learning support that children must have in order to be ready for school;
- (4) incorporating parenting education, including educating the parents as to methods that may assist the child pursuant to Section 59-155-110, 59-155-130, and 59-155-140; and
- (5) identifying community and civic organizations that can support early literacy efforts.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-120.** Trial districts.

(A)(1) The South Carolina Child Early Reading Development and Education Program first must be made available to eligible children from the following eight trial districts in Abbeville County School District et al vs. South Carolina: Allendale, Dillon 2, Florence 4, Hampton 2, Jasper, Lee, Marion 7, and Orangeburg 3.

(2) With any funds remaining after funding the eight trial districts, the program must be expanded to the remaining plaintiff school districts in Abbeville County School District et al vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of ninety percent or greater. Priority must be given to implementing the program first in those of the plaintiff districts which participated in the pilot program during the 2006-2007 School Year, then in the plaintiff districts having proportionally the largest population of underserved at-risk four-year-old children.

(3) With any funds remaining after funding the school districts delineated in items (1) and (2), the program must be expanded statewide. The General Assembly, in the annual general appropriations bill, shall set forth the priority schedule, the funding, and the manner in which the program is expanded.

(B) Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers, especially reading barriers, may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-130.** Eligibility for enrollment in program.

(A) Each child residing in the program's district, who has attained the age of four years on or before September first of the school year and meets the at-risk criteria, is eligible for enrollment in the South Carolina Child Early Reading Development and Education Program for one year.

(B)(1) The parent of each eligible child may enroll the child in one of the following programs:

- (a) a school-year four-year-old kindergarten program delivered by an approved public provider; or
- (b) a school-year four-year-old kindergarten program delivered by an approved private provider.

(2) The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(3) In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of six and one-half hours of instructional time daily and operates for a period of not less than one hundred eighty days a year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

(C)(1) No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this chapter. Nothing in this chapter prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

(2) If by October first of the school year at least seventy-five percent of the total number of children eligible for the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program providers may then enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-140.** Application for school providers.

(A) Public school providers participating in the South Carolina Child Early Reading Development and Education Program must submit an application to the Department of Education. Private providers participating in the South Carolina Child Early Reading Development and Education Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this section, and will comply with all reporting and assessment requirements.

(B) Providers shall:

(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;

(2) comply with all state and local health and safety laws and codes;

(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;

(4) be accountable for meeting the educational needs of the child and report at least quarterly to the parent or guardian on his progress;

(5) comply with all program, reporting, and assessment criteria required of providers;

(6) maintain individual student records for each child enrolled in the program, including, but not limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;

(7) designate whether extended day services will be offered to the parents and guardians of children participating in the program;

(8) be approved, registered, or licensed by the Department of Social Services; and

(9) comply with all state and federal laws and requirements specific to program providers.

(C) Providers may limit student enrollment based upon space available, but, if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers must not be required to expand

their programs to accommodate all children desiring enrollment, but are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-150.** Duties of Department of Education, Read to Succeed Office, and Office of First Steps to School Readiness.

The Department of Education, the Read to Succeed Office, and the Office of First Steps to School Readiness shall:

- (1) develop the provider application form;
- (2) develop the child enrollment application form;
- (3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, and provide training and technical assistance to support its effective use in approved classrooms serving children;
- (4) develop a list of approved prekindergarten readiness assessments to be used in conjunction with the program, and provide assessments and technical assistance to support assessment administration in approved classrooms serving children;
- (5) establish criteria for awarding new classroom equipping grants;
- (6) establish criteria for the parenting education program providers must offer;
- (7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;
- (8) develop a list of data-collection needs to be used in implementation and evaluation of the program;
- (9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;
- (10) establish criteria for granting student retention waivers; and (11) establish criteria for granting classroom-size requirements waivers.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-160.** Providers to offer complete educational program.

(A) Providers of the South Carolina Child Early Reading Development and Education Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research-based preschool curriculum aligned with school success. The program must focus on:

- (1) a comprehensive, systemic approach to reading that follows the State Reading Proficiency Plan and the district's comprehensive annual reading proficiency plan, both adopted pursuant to Chapter 155, Title 59;
- (2) successfully completing the readiness assessment administered pursuant to Section 59-155-150;
- (3) the developmental and learning support that children must have in order to be ready for school;
- (4) incorporating parenting education, including educating the parents as to methods that may assist the child pursuant to Section 59-155-110, 59-155-130, and 59-155-140, including strengthening parent involvement in the learning process with an emphasis on interactive literacy; and
- (5) identifying community and civic organizations that can support early literacy efforts.

(B) Providers shall offer high-quality, center-based programs, including, but not limited to, the following:

- (1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education for public schools or from the Office of First Steps to School Readiness for private centers;
- (2) employ an education assistant with pre-service or in-service training in early childhood education;
- (3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children, with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted

by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;

(4) offer a full day, center-based program with six and one-half hours of instruction daily for one hundred eighty school days;

(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social and emotional development;

(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences for each year; and

(7) adhere to professional development requirements outlined in this chapter.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-170.** Classroom requirements; lead teacher; education assistants.

(A) Every classroom providing services to four-year-old children established pursuant to this chapter must have a qualified lead teacher and an education assistant as needed to maintain an adult to child ratio of 1:10.

(B)(1) In classrooms in private centers, the lead teacher must have at least a two-year degree in early childhood education or a related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years.

(2) In classrooms in public schools, the lead teacher must meet state requirements pertaining to certification.

(C) All education assistants in private centers and public schools must have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The assistant must have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to First Steps or the Department of Education, as applicable, and provide appropriate documentation as to the qualifications of the teaching assistant.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-180.** Professional development.

The General Assembly recognizes there is a strong relationship between the skills and preparation of prekindergarten instructors and the educational outcomes of students. To improve these educational outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Early Reading Development and Education Program to participate annually in a minimum of fifteen hours of professional development, including, teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including, but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-190.** Eligibility for transportation funds.

Both public and private providers are eligible for transportation funds for the transportation of children to and from school. Nothing in this section prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers must not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for

transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than one hundred eighty-five dollars for each student may be retained by the Department of Education for the purposes of transporting four-year-old students. This amount annually must be increased by the same projected rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-200.** Duties of Office of First Steps to School Readiness to private providers.

For all private providers approved to offer services pursuant to this chapter, the Office of First Steps to School Readiness shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the program.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-210.** Duties of Department of Education to public school providers.

For all public school providers approved to offer services pursuant to this chapter, the Department of Education shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the program.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-220.** Funding for students enrolled with private providers.

(A) Eligible students enrolling with private providers during the school year must be funded on a pro rata basis determined by the length of their enrollment.

(B) Private providers transporting eligible children to and from school must be eligible for a reimbursement of up to five hundred fifty dollars for each eligible child transported, funded on a pro rata basis determined by the length of the child's enrollment. Providers who are reimbursed are required to retain records as required by their fiscal agent.

(C) Providers enrolling between one and six eligible children must be eligible to receive up to one thousand dollars for each child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed ten thousand dollars.

(D) Providers receiving equipment grants are expected to participate in the program and provide high-quality, center-based programs for a minimum of three years. A provider who fails to participate for three years shall return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-230.** Duties of Department of Social Services.

The Department of Social Services shall:

- (1) maintain a list of all approved public and private providers; and
- (2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this chapter.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.

**SECTION 59-156-240.** Collection and maintenance of data.

The Office of First Steps to School Readiness is responsible for the collection and maintenance of data on the state-funded programs provided through private providers.

HISTORY: 2014 Act No. 284 (S.516), Section 2, eff June 11, 2014.