AMENDED

April 6, 2021

**H. 3590**

Introduced by Reps. Allison and Lucas

S. Printed 4/6/21--H.

Read the first time January 12, 2021.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑18‑1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY‑FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 11, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑1115. (A) A school district may hire noncertified teachers in a ratio of up to twenty‑five percent of a school or career center’s teaching staff if a certified teacher is not available and the following requirements are met:

(1) Noncertified teachers must possess baccalaureate degrees or graduate degrees from a regionally accredited college or university in the subject they are hired to teach and must have at least five years of relevant workplace experience as determined by the local school board.

(2) No individual who has an active suspension or revocation of their educator certificate may qualify as a noncertified teacher for purposes of this section.

(3) An individual may only serve as a noncertified teacher for a period of two school years. After that time, the individual must demonstrate enrollment in an approved traditional or alternative route educator preparation program in order to continue employment.

(4) All noncertified teachers must undergo a state criminal records check by SLED and a national criminal records check supported by fingerprints and conducted by the FBI before being hired by a district. Eligible applicants who have prior arrests, convictions, or both, must undergo a review by the State Board of Education and be approved before a clearance letter can be issued to them. The fingerprinting process must be completed through the approved state vendor. Background checks from other states or agencies are not transferable and cannot be accepted for purposes of registering noncertified teachers in this State. An individual registering as a noncertified teacher also must be checked against the national database of educator disciplinary actions. The State Board of Education is authorized to deny, suspend, or revoke the registration of any noncertified teacher pursuant to Section 59‑25‑160 and R. 43‑58.

(B) For purposes of this section, ‘noncertified teacher’ does not include applicants who meet eligibility requirements for the Career and Technology work‑based certification in the respective fields.

(C) Districts must continue to comply with the provisions of Section 59‑19‑117 for noncertified teachers.

(D) The State Board of Education shall require districts employing noncertified teachers pursuant to this section to individually register each such noncertified teacher with the State Department of Education. A district that terminates a registered noncertified teacher from employment shall notify the department of the termination and the reason for termination within ten days after the termination.

(E) Districts must provide the department with the name of the noncertified teacher, school where the teacher is employed, and subject area in which the teacher was hired to teach. The State Department of Education shall report the information to the General Assembly at the completion of the school year.”

SECTION 2. This act takes effect upon the approval of the Governor.

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