**South Carolina General Assembly**

126th Session, 2025-2026

**S. 79**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree and Zell

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Introduced in the Senate on January 14, 2025

Introduced in the House on March 6, 2025

Last Amended on March 4, 2025

Currently residing in the House Committee on **Education and Public Works**

Summary: Noncertified Teacher Pilot Program

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2024 Senate Prefiled

12/11/2024 Senate Referred to Committee on **Education**

1/14/2025 Senate Introduced and read first time ([Senate Journal‑page 70](h:\sj\20250114.docx))

1/14/2025 Senate Referred to Committee on **Education** ([Senate Journal‑page 70](h:\sj\20250114.docx))

2/26/2025 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 12](h:\sj\20250226.docx))

3/4/2025 Senate Committee Amendment Adopted ([Senate Journal‑page 27](h:\sj\20250304.docx))

3/4/2025 Senate Read second time ([Senate Journal‑page 27](h:\sj\20250304.docx))

3/4/2025 Senate Roll call Ayes-42 Nays-0 ([Senate Journal‑page 27](h:\sj\20250304.docx))

3/5/2025 Senate Read third time and sent to House ([Senate Journal‑page 23](h:\sj\20250305.docx))

3/6/2025 House Introduced and read first time ([House Journal‑page 10](h:\hj\20250306.docx))

3/6/2025 House Referred to Committee on **Education and Public Works** ([House Journal‑page 10](h:\hj\20250306.docx))

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/79_20241211.docx)

[02/26/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/79_20250226.docx)

[02/26/2025-A](https://www.scstatehouse.gov/sess126_2025-2026/prever/79_20250226a.docx)

[03/04/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/79_20250304.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

March 4, 2025

S. 79

Introduced by Senators Hembree and Zell

S. Printed 3/4/25--S.

Read the first time January 14, 2025

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59‑18‑1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Amend Title To Conform

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

SECTION 1. Chapter 18, Title 59 of the S.C. Code is amended by adding:

Section 59‑18‑1115. (A) The Department of Education is directed to establish a five-year pilot program by May 1, 2025, that will permit a school to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. This pilot does not include individuals seeking employment as work-based, career, and technical education teachers. The State Board of Education, through the Department of Education, shall approve guidelines that at a minimum include the following:

(1) the requirement that a noncertified teacher must possess a suitable baccalaureate or graduate degree for the position he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures for requiring noncertified teachers to participate in the evaluation process pursuant to Section 59‑26‑30(B)(4) and (5);

(3) initial and ongoing training and support requirements; and

(4) the requirement that a noncertified teacher must demonstrate enrollment in an educator certification program within three years of employment, including any state‑approved alternative or traditional route program.

(B) Participation in the pilot program is optional, and the decision to participate rests solely with the Department of Education and the school principal, upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot program and to assist the Department of Education with establishing best practices.

(C) The Department of Education shall establish a separate code in the professional coding system to capture noncertified teachers and shall continue to report this information on school report cards.

(D) Beginning November 1, 2026, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. The annual status report submitted by November 1, 2029, shall include a recommendation regarding continuance of the program beyond June 30, 2030.

(E)(1) The Department of Education shall establish procedures for the registration, clearance, and approval of all noncertified teachers working in any public school pursuant to this section. Teachers shall submit the required documentation and fees to the Department of Education, which shall include, but are not limited to:

(a) a completed registration form;

(b) any associated fee; and

(c) transcripts, which shall be subject to review.

(2) An individual applying for registration as a noncertified teacher must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal record checks must be reported to the Department of Education. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The Department of Education shall keep information received pursuant to this section confidential, except that such information may be disclosed to the State Board of Education as may be necessary. The results of these criminal record checks must not be shared outside the department.

(3) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher during the term of suspension or revocation. If a noncertified teacher is dismissed, resigns, or is otherwise separated from employment with a district following allegations of misconduct, the district superintendent shall report to the Chair of the State Board of Education and the State Superintendent of Education the educator’s name and registration information. Upon a finding of just cause as defined in Section 59-25-160, the State Board of Education is authorized to revoke the noncertified teacher’s registration.

SECTION 2. Chapter 3, Title 23 of the S.C. Code is amended by adding:

Section 23-3-90. (A) Notwithstanding any other provision of law, this section governs the authorizations and procedures that apply when an agency in this State is authorized by statute to request state and federal criminal history record checks to be conducted by the State Law Enforcement Division (SLED) and the Federal Bureau of Investigations (FBI), supported by fingerprints.

(B) SLED is authorized to retain these fingerprints and to provide notification to authorized recipients of any criminal history record changes. Retained fingerprints may be searched by future submissions to SLED, including latent fingerprint searches, and appropriate responses may be sent to authorized recipients.

(C) SLED, upon the request of an authorized recipient, may submit fingerprints collected to the FBI’s Next Generation Identification (NGI) system and the FBI is authorized to retain these fingerprints within the NGI system. Retained fingerprints may be searched by future submissions to the NGI system, including latent fingerprint searches, and appropriate responses may be sent to SLED and authorized recipients.

(D) The results of these criminal history record checks and notifications must only be reported to SLED and authorized recipients and cannot be further disseminated.

(E) SLED may charge a reasonable fee for the collection and retention of fingerprints. SLED may charge an additional reasonable fee to agencies who elect to receive notifications from the NGI system.

(F) The following definitions apply to this section:

(1) “Agency” means offices, departments, bureaus, and other subdivisions associated with a particular government agency’s organizational structure.

(2) “Authorized recipients” means the agency authorized to receive criminal history record information (CHRI) by a statute that has been approved by the FBI pursuant to Pub. L. 92-544 or any other applicable federal law.

SECTION 3. Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

SECTION 4. This act takes effect upon approval by the Governor. Section 1 of this bill shall remain in effect until June 30, 2030, unless extended by the General Assembly.

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