

December 7, 2015

The Honorable Nikki Haley
Governor of South Carolina
1205 Pendleton Street
Columbia, SC 29201

Dear Governor Haley:

According to Act 92 of 2015, by September 1 of this year, the Education Oversight Committee (EOC) is responsible for determining if an independent school met the statutory criteria for participating in the Educational Credit for Exceptional Needs Children (ECENC) Program. The EOC is also required to establish an advisory committee made up of not more than nine members, "including parents, and representatives of independent schools and independent school associations" to assist the EOC in its work.

The Educational Credit for Exceptional Needs Advisory Committee met on November 19, 2015 in Columbia. The meeting was facilitated by Neil Robinson, a business appointee of the EOC. At the meeting the Advisory Committee reviewed an October 12, 2015 report by the EOC that detailed the process for approving schools this year. The report has been provided to your office and is available on the EOC website. Mr. Robinson and EOC staff expressly wanted to know from the Advisory Committee how the process of approving schools could be simplified or streamlined.

The Advisory Committee understands that, because the program is authorized through a proviso in the annual general appropriations bill, the proviso can be amended annually, resulting in changes in the program's requirements or deadlines. To mitigate these annual changes, the Advisory Committee recommends that the program be codified.

However, if the program continues to be authorized in a proviso, the Advisory Committee recommended that the EOC convey to policymakers the following changes in the program's implementation. From the perspective of the Advisory Committee, these changes are designed to assist schools and parents in preparing for the beginning of the school year. The budget takes effect on July 1 when many independent schools have reduced staff or hours of operation in the summer to complete the application process.

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EXECUTIVE DIRECTOR

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1. The Advisory Committee recommends that schools approved to participate in the ECENC program in the prior fiscal year continue to operate as approved schools at least through December 31 of the current fiscal year. These schools would have until December 31 to "reapply" for the program by submitting updated assessment data and any other information as required of all schools participating in the program.

2. Second, the Advisory Committee recommends that schools that did not participate in the program in the prior fiscal year should be allowed to apply for participation in the program at any time in the fiscal year. The primary reason for the open enrollment of schools is the mobility of students. There are examples of parents of special needs children enrolling their children in a school that is not on the approved list in the middle of the fiscal year. The school had not considered participating in the program or had missed the September 1 deadline.

If you or your staffs have any questions, please feel free to contact Neil Robinson or me.

Sincerely,

A handwritten signature in cursive script that reads "Melanie Barton".

Melanie D. Barton
Executive Director

C: Josh Baker