



Senate Education Subcommittee

S.544

March 2, 2022

Chairman Talley and members of the Senate Education Subcommittee,

The South Carolina Education Association (The SCEA) has many concerns regarding S.544 and open enrollment legislation.

The SCEA and our members want all children to have the best education possible. Therefore, The SCEA's concern is based on the fiscal uncertainty that could be created and funding inequities that could be deepened by this bill.

Public schools have many “baked-in” costs based on expected enrollment that remain immutable even after adjusting for actual enrollment. Under this type of open enrollment program, federal and state dollars “follow the student,” but the district they leave will still have fixed costs that do not follow any students leaving the district.

In addition, does an open enrollment policy potentially incentivize districts recruiting student athletes, students with high abilities in arts or academics? There could be potential implications for other programs and services that will be impacted for the remaining students, further reducing some of the very athletic, artistic, and academic programs open enrollment students may seek.

The fiscal uncertainty from open enrollment is further complicated when the complexity of “money following” a student over a long period of time is considered. Facilities built based on 10-year projected enrollment may no longer be sufficient. Should a school reach capacity sooner, this places the district in the position of having to potentially deny open enrollment to a student who has attended for many years, to place resident and non-resident students both in over-crowded facilities, or having to raise taxes to pay for facilities.

Further, the potential impact to Title funding for districts must be explored—when a Title 1 eligible student leaves a district, does the Title funding follow the student to the new district? If many Title 1 eligible students leave a district lowering the overall percentage, could that affect a district receiving Title funds under the Community Eligibility Provision (CEP)? This could impact students in the remaining district who may be depending on their school's free lunch program, as well as positions for title-funded staff for reading and math intervention.

Finally, the question of transportation responsibility remains and is a question of great significance. Depending on how transportation is funded, there could be many complications and costs that not only create issues for districts but also complications that limit true equitable access for opportunity for families.

The SCEA urges caution and attention to these issues before proceeding with a law that could affect the entire public school system across South Carolina. We all want what is best for all children; therefore we must ensure that we are acting in the best interest of all children—particularly children whose neighborhood public school will always be the only option available to them despite any programs made available. For them we must continue to focus on making every public school in every zip code and every neighborhood excellent with diverse opportunities and programs. Thank you for your consideration.