COMMITTEE REPORT

February 9, 2017

**H. 3515**

Introduced by Reps. Erickson, W. Newton, Yow, Loftis, Bowers, Bradley and Herbkersman

S. Printed 2/9/17--H.

Read the first time January 18, 2017.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Joint Resolution (H. 3515) to provide for the waiver of five or fewer days that schools in counties for which federal major disaster declarations were made as a result of Hurricane Matthew, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. (A) The provisions of this joint resolution apply to school districts in Allendale, Bamberg, Barnwell, Beaufort, Calhoun, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Lee, Marion, Marlboro, Orangeburg, Sumter, and Williamsburg Counties that missed school days due to Hurricane Matthew in October of 2016.

(B) Schools that have made up, or will make up, at least three days or the equivalent number of hours, have received a waiver for three missed instructional days or the equivalent number of hours from their local governing board, and received a waiver of three additional days or the equivalent number of hours from the State Board of Education pursuant to Section 59‑1‑425, may have the local governing board waive up to five additional school days or the equivalent number of hours missed due to snow, extreme weather, or other disruptions requiring the school to close during the 2016‑2017 School Year.

(C) When a district waives a make‑up day pursuant to this joint resolution, the make‑up day also is waived for any student participating in a home schooling program approved by the board of trustees of the district in which the student resides.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Amend the joint resolution further by striking all before the enacting words and inserting:

/ TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN COUNTIES FOR WHICH FEDERAL MAJOR DISASTER DECLARATIONS WERE MADE AS A RESULT OF HURRICANE MATTHEW, AND TO PROVIDE THAT THESE WAIVERS ARE AVAILABLE ONCE WAIVERS AVAILABLE UNDER THE AUTHORITY OF THE LOCAL SCHOOL DISTRICTS AND STATE BOARD OF EDUCATION ARE EXHAUSTED.

Whereas, in October 2016 the State of South Carolina endured extreme weather and resulting disastrous effects due to Hurricane Matthew, the first Category Five Atlantic Hurricane since 2007; and

Whereas, in recognition of the severity and magnitude of this disaster, the President made a declaration of a major disaster for twenty‑one counties in South Carolina; and

Whereas, schools in these districts closed for varying numbers of days in the days surrounding Hurricane Matthew’s landfall, and the unique circumstances of this natural disaster merit the waiving of some of these school closing days for school districts that have exhausted their remedies available under Section 59‑1‑425, which through Act 21 of 2015 was amended by the General Assembly to provide greater flexibility to school districts and the State Board of Education with respect to grating waivers for school days missed due to snow, extreme weather, or other disruptions requiring school closure. Now, therefore, /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 18, 2017**

**State Expenditure**

House Bill 3515 allows the governing bodies of the school districts in Allendale, Bamberg, Barnwell, Beaufort, Calhoun, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Lee, Marion, Marlboro, Orangeburg, Sumter, and Williamsburg Counties to waive the requirement that schools in those districts make up full days missed due to inclement weather for five or fewer full school days that students missed due to Hurricane Matthew in October of 2016. The waiver is in addition to the existing waiver provisions of Section 59-1-425, and is available regardless of whether a school that closed has made up three full days, or the equivalent number of hours, missed due to snow, extreme weather, or other disruptions requiring the school to close during the 2016-2017 school year. When a district waives a make-up day pursuant to this joint resolution, the make-up day is also waived for any home schooled student approved by the board of trustees of the district in which the student resides.

The Department of Education indicates that forgiveness of school days for inclement weather would not increase or decrease the total amount expended by the state to support the students in the impacted schools. Therefore, this bill would not affect general fund, federal funds, or other funds expenditures of the department.

**Local Expenditure**

The bill is permissive to the local school districts by allowing each governing school board to determine the number of days waived (five or fewer). Local school districts may experience reduced expenditures for school days not made-up. Savings may include reduced expenditures on hourly employees such as school bus drivers and food service workers. In addition, a small amount of utility expense may be avoided when inclement weather closure days are not made-up. The impact of the bill on the twenty-one local school districts is undetermined given the permissive nature of the waiver.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **JOINT RESOLUTION**

TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN COUNTIES FOR WHICH FEDERAL MAJOR DISASTER DECLARATIONS WERE MADE AS A RESULT OF HURRICANE MATTHEW, AND TO PROVIDE THAT THESE WAIVERS ARE AVAILABLE IN ADDITION TO THOSE AVAILABLE BY STATUTE, AND TO PROVIDE THAT THESE WAIVERS MAY BE MADE REGARDLESS OF WHETHER THE SCHOOLS FOR WHICH A WAIVER IS SOUGHT HAS MADE UP THREE FULL DAYS, OR THE EQUIVALENT NUMBER OF HOURS, MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS REQUIRING THE SCHOOL TO CLOSE DURING THE 2016‑2017 SCHOOL YEAR.

Whereas, in October 2016 the State of South Carolina endured extreme weather and resulting disastrous effects due to Hurricane Matthew, the first Category Five Atlantic Hurricane since 2007; and

Whereas, approximately 473,000 households lost power in South Carolina, significant flooding occurred, and many roads were rendered impassable; and

Whereas, in recognition of the severity and magnitude of this disaster, the President made a declaration of a major disaster for twenty‑one counties in South Carolina; and

Whereas, schools in these districts closed for varying numbers of days in the days surrounding Hurricane Matthew’s landfall, and the unique circumstances of this natural disaster merit the waiving of some of these school closing days. Now, therefore,

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

SECTION 1. Notwithstanding the provisions of Section 59‑1‑425, the governing bodies of the school districts in **Allendale, Bamberg, Barnwell, Beaufort, Calhoun, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Lee, Marion, Marlboro, Orangeburg, Sumter,** and **Williamsburg Counties may waive the requirement that the respective schools in those districts make up full days missed due to inclement weather for five or fewer full school days that students who attend schools or charter schools in their respective districts missed due to Hurricane Matthew in October of 2016.** These waivers are available in addition to the existing waiver provisions of Section 59‑1‑425, and may be made regardless of whether a school that closed has made up three full days, or the equivalent number of hours, missed due to snow, extreme weather, or other disruptions requiring the school to close during the 2016‑2017 school year. When a district waives a make‑up day pursuant to this joint resolution, the make‑up day also is waived for any student participating in a home schooling program approved by the board of trustees of the district in which the student resides.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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