

1 DRAFT PREPARED BY LEGISLATIVE COUNCIL
2 For: Sen. Hayes
3 Attorney: Hray
4 Stenographer: Morgan
5 Date: November 1, 2010
6 DOC. I.D.: L:\COUNCIL\BILLS\AGM\18187BH11.DOCX
7
8

9 **A BILL**

10
11
12

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

15

16 SECTION 1. Chapter 20, Title 59 of the 1976 Code is amended
17 by adding:

18

19 “Section 59-20-62. (A) School districts and special schools of
20 this State may transfer and expend funds among appropriated state
21 general fund revenues, Education Improvement Act funds,
22 Education Lottery Act funds, and funds received from the
23 Children’s Education Endowment Fund for school facilities and
24 fixed equipment assistance, to ensure the delivery of academic and
25 arts instruction to students. However, a school district may not
26 transfer funds required for debt service or bonded indebtedness.

27 (B) A school district that chooses to utilize the provisions of
28 subsection (A) shall spend at least seventy percent of the district’s
29 per pupil expenditures within the In\$ite categories of instruction,
30 instructional support, and non-instruction pupil services. No
31 portion of the seventy percent may be used for business services,
32 debt service, capital outlay, program management, and leadership
33 services, as defined by In\$ite. The district shall report to the
34 Department of Education the actual percentage of its per pupil
35 expenditures used for classroom instruction, instructional support,
36 and non-instructional pupil services by June 30 of each year.
37 Salaries of on-site principals must be included in the calculation of
38 the district’s per pupil expenditures. As used in this section,
39 ‘In\$ite’ means the financial analysis model for education programs
40 utilized by the Department of Education.

1 (C) School districts and special schools of this State may carry
2 forward unexpended funds from the prior fiscal year into the
3 current fiscal year.

4 (D) Quarterly, the chairman of each school district board of
5 trustees and the superintendent of the district shall certify the
6 specific actions taken to provide financial flexibility to the district.
7 The certification must be made in writing, signed by the chairman
8 and superintendent, and delivered electronically to the State
9 Superintendent of Education. Additionally, the certification must
10 be presented publicly at a regularly-called school board meeting,
11 and the certification must be posted on the Internet website
12 maintained by the district.

13 (E) The provisions of this section do not otherwise relieve a
14 local school district from its obligation to provide any element of
15 its education program prescribed by statute or regulation.”

16

17 SECTION 2. Chapter 20, Title 59 of the 1976 Code is amended
18 by adding:

19

20 “Section 59-20-63. (A) A school district of this State shall
21 maintain a transaction register that includes a complete record of
22 all funds expended over one hundred dollars, from whatever
23 source, for whatever purpose. The register must be prominently
24 posted on the district’s Internet website and made available for
25 public viewing and downloading.

26 (1) The register must include for each expenditure:

27 (a) the transaction amount;

28 (b) the name of the payee; and

29 (c) a statement providing a detailed description of the
30 expenditure.

31 (2) The register may not include an entry for salary, wages,
32 or other compensation paid to individual employees, nor may it
33 include information that can be used to identify an individual
34 employee. The register must be accompanied by a complete
35 explanation of any codes or acronyms used to identify a payee or
36 an expenditure. The register must be searchable and updated at
37 least monthly.

38 (B) A school district also shall maintain on its Internet website
39 a copy of each monthly statement for all of the credit cards
40 maintained by the entity, including credit cards issued to its
41 officers or employees for official use. The credit card number on
42 each statement must be redacted prior to posting on the Internet
43 website. Each credit card statement must be posted by the thirtieth

1 day after the first day that any portion of the balance as shown on
2 the statement is paid.

3 (C) The Comptroller General shall establish and maintain an
4 Internet website to contain the information required by this section
5 from a school district that does not maintain its own Internet
6 website. The Internet website must be organized so that the public
7 can differentiate among the school districts and search for the
8 information they are seeking.

9 (D) The Comptroller General shall distribute to the districts a
10 methodology and resources for compliance. If a district complies
11 with the methodology, it must be reimbursed for any documented
12 expenses incurred as a result of compliance, which reimbursement
13 must be paid from the budget of the Comptroller General.

14 (E) The provisions of this section do not amend, suspend,
15 supersede, replace, revoke, restrict, or otherwise affect the South
16 Carolina Freedom of Information Act, as provided in Chapter 4,
17 Title 30.”

18

19 SECTION 3. This act takes effect upon approval by the Governor.

20

----XX----