

## Session 126 - (2025-2026)

### **S\*0454 (Rat #0140, Act #0123 of 2026) General Bill, By Hembree**

#### **Summary:** Charter School Accountability

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-40, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHARTER SCHOOLS ACT, SO AS TO CHANGE REFERENCES FROM "SPONSOR" TO "AUTHORIZER," AND TO REVISE AND PROVIDE OTHER DEFINITIONS; BY AMENDING SECTION 59-40-50, RELATING TO LEGAL EXEMPTIONS, POWERS, AND DUTIES OF CHARTER SCHOOLS, SO AS TO IMPOSE CERTAIN FISCAL ACCOUNTABILITY AND TRANSPARENCY MEASURES, TO IMPOSE CERTAIN ADMISSIONS AND ENROLLMENT STANDARDS AND TRANSPARENCY MEASURES, TO REVISE BYLAW REQUIREMENTS AND BOARD ETHICS REQUIREMENTS, AND TO REQUIRE ADDITIONAL POWERS AND DUTIES CONCERNING OPERATIONS AND MANAGEMENT; BY AMENDING SECTION 59-40-55, RELATING TO CHARTER SCHOOL AUTHORIZERS, SO AS TO MAKE CONFORMING CHANGES, TO REVISE THEIR POWERS AND DUTIES, TO INCREASE CHARTER AUTHORIZER OVERSIGHT, TO PROHIBIT CERTAIN FINANCIAL CONFLICTS, TO INCREASE ENFORCEMENT POWERS OF THE STATE DEPARTMENT OF EDUCATION, AND TO PROVIDE PROCEDURES FOR AUTHORIZER REVOCATION AND SCHOOL TRANSFERS; BY AMENDING SECTION 59-40-60, RELATING TO CHARTER SCHOOL APPLICATION REQUIREMENTS, SO AS TO REVISE CHARTER SCHOOL APPLICATION REQUIREMENTS, TO INCREASE GOVERNANCE AND FINANCIAL DISCLOSURES, TO CREATE RULES FOR VIRTUAL SCHOOLS, AND TO CREATE A STREAMLINED REPLICATION PROCESS FOR SUCCESSFUL CHARTER SCHOOLS, AMONG OTHER THINGS; BY AMENDING SECTION 59-40-65, RELATING TO VIRTUAL INSTRUCTION REQUIREMENTS IN CHARTER SCHOOLS, SO AS TO PROVIDE NECESSARY DEFINITIONS AND IMPOSE CERTAIN REQUIREMENTS ON VIRTUAL CHARTER SCHOOLS; BY AMENDING SECTION 59-40-70, RELATING TO CHARTER SCHOOL APPLICANTS TO AUTHORIZERS, SO AS TO REVISE CHARTER APPLICATION AND APPROVAL PROCEDURES, TO IMPOSE CERTAIN REVIEW TIMELINES, TO REVISE EVALUATION REQUIREMENTS, TO PROVIDE CONDITIONAL APPROVALS, TO IMPOSE PLANNING-YEAR REQUIREMENTS, AND TO REVISE AUTHORIZER OVERSIGHT; BY AMENDING SECTION 59-40-75, RELATING TO CHARTER SCHOOL AUTHORIZER BOARD MEMBER ETHICS, CONDUCT, AND REMOVAL, SO AS TO INCLUDE AUTHORIZERS, TO REVISE THE GROUNDS FOR REMOVAL, TO REVISE THE MANNER OF FILLING VACANCIES, AND TO PROHIBIT CERTAIN CONFLICTS OF INTEREST; BY AMENDING SECTION 59-40-90, RELATING TO APPEALS OF FINAL DECISIONS OF CHARTER SCHOOL AUTHORIZERS, SO AS TO PROVIDE THAT APPEALS OF FINAL DECISIONS BY AUTHORIZERS MUST BE MADE TO THE ADMINISTRATIVE LAW COURT; BY AMENDING SECTION 59-40-110, RELATING TO CHARTER DURATIONS, RENEWALS, AND CLOSURES, SO AS TO INCLUDE CERTAIN CHARTER SCHOOL PERFORMANCE ASSESSMENTS BY AUTHORIZERS AND RELATED GUIDANCE AND RESPONSE PROCEDURES; BY AMENDING SECTION 59-40-111, RELATING TO ALTERNATIVE EDUCATION CAMPUSES, SO AS TO IMPOSE ACCOUNTABILITY REQUIREMENTS; BY AMENDING SECTION 59-40-115, RELATING TO CHARTER SCHOOL TRANSFERS AMONG AUTHORIZERS, SO AS TO IMPOSE REQUIREMENTS FOR SUCH TRANSFER PROCESSES AND TO REQUIRE CERTAIN TRANSPARENCY MEASURES, AMONG OTHER THINGS; BY AMENDING SECTION 59-40-120, RELATING TO THE OWNERSHIP OF DISSOLVED CHARTER SCHOOL ASSETS, SO AS TO PROVIDE THAT CERTAIN ASSETS BECOME PROPERTY OF THE STATE OF SOUTH CAROLINA INSTEAD OF THE CHARTER SCHOOL'S AUTHORIZER; BY AMENDING SECTION 59-40-140, RELATING TO CHARTER SCHOOL AUTHORIZER MANAGEMENT AND REPORTING, SO AS TO MAKE CONFORMING CHANGES AND TO AUTHORIZE CHARTER SCHOOLS TO CONTRACT WITH MANAGEMENT ORGANIZATIONS FOR CERTAIN PURPOSES, AMONG OTHER THINGS; BY AMENDING SECTION 59-40-150, RELATING TO CHARTER SCHOOL FORMATIONS AND OPERATIONS, SO AS TO IMPOSE REQUIREMENTS ON THE STATE DEPARTMENT OF EDUCATION CONCERNING CHARTER SCHOOL APPLICATIONS, COMPLIANCE GUIDANCE, AND EVALUATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 59-40-155, RELATING TO CHARTER SCHOOL TRUSTEE TRAINING AND REMOVALS, SO AS TO MAKE CERTAIN TRAINING PROVISIONS APPLICABLE TO CHARTER SCHOOL AUTHORIZER BOARD MEMBERS, TO REVISE THE ORIENTATION PROGRAM FOR NEW BOARD MEMBERS, AND TO PROVIDE ADDITIONAL TRAINING REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 59-40-180, RELATING TO REGULATIONS AND GUIDELINES, GRANDFATHER PROVISIONS, AND PENALTIES FOR VIOLATIONS, SO AS TO EXEMPT CERTAIN EXISTING AUTHORIZERS FROM THE APPLICATION PROCESS, AND TO SUBJECT AUTHORIZERS TO FUNDING REDUCTIONS FOR WILFUL OR KNOWING VIOLATIONS; AND BY AMENDING SECTION 59-40-230, RELATING TO THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT BOARD, SO AS TO CORRECT AN OBSOLETE REFERENCE. - RATIFIED TITLE

**03/13/25 Senate Introduced and read first time (Senate Journal-page 5)**

03/13/25 Senate Referred to Committee on Education (Senate Journal-page 5)  
03/19/25 Scrivener's error corrected  
04/09/25 Senate Committee report: Favorable with amendment Education (Senate Journal-page 7)  
04/10/25 Scrivener's error corrected  
05/01/25 Senate Committee Amendment Adopted (Senate Journal-page 24)  
05/01/25 Senate Read second time (Senate Journal-page 24)  
05/01/25 Senate Roll call Ayes-33 Nays-4 (Senate Journal-page 24)  
02/10/26 Senate Amended (Senate Journal-page 15)  
02/10/26 Senate Read third time and sent to House (Senate Journal-page 15)  
02/10/26 Senate Roll call Ayes-42 Nays-0  
02/11/26 House Introduced and read first time (House Journal-page 46)  
02/11/26 House Referred to Committee on Education and Public Works (House Journal-page 46)  
02/11/26 Scrivener's error corrected  
04/22/26 House Committee report: Favorable with amendment Education and Public Works (House Journal-page 2)  
04/23/26 House Requests for debate-Rep(s). J Moore, King, Reese, Rutherford, Gilliard, Hart, Henderson-Myers, Hosey (House Journal-page 79)  
04/23/26 Scrivener's error corrected  
04/23/26 House Amended (House Journal-page 173)  
04/23/26 House Read second time (House Journal-page 173)  
04/23/26 House Roll call Yeas-104 Nays-0 (House Journal-page 211)  
04/23/26 House Unanimous consent for third reading on next legislative day (House Journal-page 215)  
04/24/26 House Read third time and returned to Senate with amendments (House Journal-page 4)  
04/27/26 Scrivener's error corrected  
05/12/26 Senate House amendment amended (Senate Journal-page 124)  
05/12/26 Senate Roll call Ayes-43 Nays-0 (Senate Journal-page 124)  
05/12/26 Senate Returned to House with amendments (Senate Journal-page 124)  
05/13/26 House Concurred in Senate amendment and enrolled (House Journal-page 18)  
05/13/26 House Roll call Yeas-102 Nays-1 (House Journal-page 19)  
05/14/26 Ratified R 140  
05/15/26 Signed By Governor  
05/26/26 Effective date 05/15/26  
05/26/26 Act No. 123