Session 122 - (2017-2018)

S 0445 General Bill, By Hembree

Summary: Charter School Act

A BILL TO AMEND SECTION 59-40-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHARTER SCHOOLS ACT OF 1996, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 59-40-50, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF CHARTER SCHOOL BOARDS, SO AS TO REVISE AND ADD REQUIREMENTS CONCERNING NONCERTIFIED TEACHER QUALIFICATIONS, GOVERNANCE, NEPOTISM, AND USE OF PROGRAM FUNDING FOR TRANSPORTATION; TO AMEND SECTION 59-40-55, AS AMENDED, RELATING TO CHARTER SCHOOL SPONSORS, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER SCHOOL CONTRACTS, REPORTING REQUIREMENTS, NOTIFICATION OF IDENTIFIED PROBLEMS, ADMISSIONS PROCEDURES, LIMITS ON STATE APPROPRIATIONS SCHOOLS MAY RECEIVE, AND RESERVE FUNDS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO CHARTER SCHOOL FORMATION PROCEDURES, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER AMENDMENT PROCEDURES, PUBLIC MEETINGS, AND TRANSFER OF GOVERNANCE AND OPERATIONS OF NEW CHARTER SCHOOLS FROM CHARTER COMMITTEES TO CHARTER SCHOOL LEADERS AND BOARDS; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATION PROCEDURES, SO AS TO REVISE PROCEDURES CONCERNING SUBMISSION OF LETTERS OF INTENT, POWERS OF SCHOOL BOARDS TO REQUEST INFORMATION FROM CHARTER APPLICANTS, APPLICATION MATERIALS REQUIRED FOR SUBMISSION, AND SPONSOR REVIEW OF APPLICATIONS AND RESPONSES TO APPLICATIONS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-80, AS AMENDED, RELATING TO CONDITIONAL AUTHORIZATIONS OF CHARTER SCHOOLS, SO AS TO ALLOW CERTAIN AMENDMENTS TO CHARTER SCHOOL APPLICATIONS OR FORM AGREEMENTS CONCERNING PREOPENING BENCHMARKS REGARDING ENROLLMENT, TO PROVIDE SPONSOR DECISIONS TO GRANT OR DENY CONDITIONAL APPROVAL ARE NOT SUBJECT TO APPEAL, AND TO PROVIDE OPTIONAL OUTCOMES FOR CONDITIONALLY APPROVED CHARTER SCHOOLS THAT FAIL TO MEET CONDITIONS FOR CHARTER APPROVAL; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO DURATIONS, RENEWALS, REVOCATIONS, AND TERMINATIONS OF CHARTERS, SO AS TO PROVIDE CHARTER SCHOOLS MUST BE CONSIDERED ACCREDITED PUBLIC SCHOOLS UPON CHARTER APPROVAL AND SUBMISSION OF REQUIRED ANNUAL REPORTS, AND TO SPECIFY THE EVENT THAT BEGINS THE TEN-YEAR TERMS OF CHARTERS; TO AMEND SECTION 59-40-115, AS AMENDED, RELATING TO TERMINATION OF CONTRACTS WITH SPONSORS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH CHARTERS MAY SEEK AND OBTAIN ALTERNATE SPONSORS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO CHARTER SCHOOL FUNDING, SO AS TO REQUIRE REPORTS OF CERTAIN FEDERAL FUNDS RETAINED BY SPONSORS; TO AMEND SECTION 59-40-150, AS AMENDED, RELATING TO DUTIES OF THE STATE DEPARTMENT OF EDUCATION TO DISSEMINATE INFORMATION ABOUT CHARTER SCHOOLS' FORMATION AND OPERATION AND TO PROVIDE A DIRECTORY OF AUTHORIZED CHARTER SCHOOLS, SO AS TO REVISE THE SPECIFIC REQUIREMENTS OF THESE DUTIES; TO AMEND SECTION 59-40-170, AS AMENDED, RELATING TO THE DUTY OF THE DEPARTMENT TO MAINTAIN AND PROVIDE A LIST OF SCHOOL BUILDINGS SUITABLE AND AVAILABLE FOR CHARTER SCHOOL USE, SO AS TO PROVIDE THE LIST BE MADE AVAILABLE ONLINE AND BE UPDATED AT LEAST ANNUALLY; TO AMEND SECTION 59-40-175, AS AMENDED, RELATING TO THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM, SO AS TO PROVIDE THE STATE TREASURER MAY USE PROGRAM FUNDS TO CREATE A DEBT RESERVE FUND TO ENHANCE THE ABILITY OF CHARTER SCHOOLS TO OBTAIN FAVORABLE FINANCING TERMS ON CERTAIN BONDS TO FINANCE CHARTER SCHOOL CAPITAL PROJECTS AND CREDIT ENHANCEMENTS, AND TO PROVIDE RELATED REQUIREMENTS AND PROCEDURES; TO AMEND SECTION 59-40-180, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT TO PROMULGATE CERTAIN REGULATIONS AND GUIDELINES, SO AS TO REVISE REQUIREMENTS CONCERNING GUIDELINES FOR APPLICATIONS PROCEDURES; TO AMEND SECTION 59-40-230, AS AMENDED, RELATING TO SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT BOARD OF TRUSTEES, SO AS TO REVISE REQUIREMENTS CONCERNING VACANCIES ON THE BOARD; AND TO REPEAL SECTION 59-40-200 RELATING TO THE EFFECT OF ESTABLISHMENT OF SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICTS ON PENDING AND FUTURE APPLICATIONS.

02/21/17	**Senate**	**Introduced and read first time (Senate Journal-page 7)**
02/21/17	**Senate**	**Referred to Committee on Education (Senate Journal-page 7)**
04/27/17	**Senate**	**Committee report: Favorable with amendment Education (Senate Journal-page 47)**
04/28/17		**Scrivener's error corrected**

03/07/18 Senate Recommitted to Committee on Education (Senate Journal-page 3)