~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

March 10, 2010

**S. 812**

Introduced by Senators S. Martin, Shoopman, Grooms, Bryant, Bright, Davis and Rose

S. Printed 3/10/10--S.

Read the first time May 13, 2009.

**A** **BILL**

TO AMEND SECTION 59‑63‑480 OF THE 1976 CODE, RELATING TO ATTENDANCE IN SCHOOLS OF AN ADJACENT COUNTY, TO PROVIDE THAT THE PARENT OR LEGAL GUARDIAN OF THE STUDENT MUST ARRANGE FOR THE STUDENT TO ATTEND THE SCHOOL IN THE ADJACENT COUNTY RATHER THAN THE SCHOOL AUTHORITIES IN THE CHILD’S COUNTY OF RESIDENCE; TO AMEND SECTION 59‑63‑490, TO PROVIDE THAT THE SCHOOL BOARD OF TRUSTEES FOR THE SCHOOL DISTRICT IN WHICH A CHILD RESIDES MAY NOT PREVENT A STUDENT FROM TRANSFERRING TO AN ADJACENT SCHOOL DISTRICT IF THE RECEIVING SCHOOL DISTRICT APPROVES THE TRANSFER; AND TO REPEAL SECTIONS 59‑63‑500 AND 59‑63‑510.

Amend Title To Conform

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

SECTION 1. Section 59‑63‑480 of the 1976 Code is amended to read:

“Section 59‑63‑480. (A) If ~~school children~~ a nonresident child in one county ~~reside closer to schools~~ resides in an adjacent county, ~~they~~ he may attend ~~such~~ the schools ~~upon the school authorities~~ ~~of the county of their residence arranging with the~~ in the adjacent county if the person responsible for educating the child receives approval for admission from school officials of the adjacent county ~~for such admission~~ and ~~upon~~ payment is made pursuant to Section 59‑63‑45 ~~of appropriate charges as herein authorized~~. The ~~board of trustees in the school district in which the pupils reside~~ person responsible for educating a nonresident child that would like to attend school in an adjacent county pursuant to this section shall make written application ~~through its county board of education~~ to the board of trustees of the district in which the school is located for the admission of ~~such children~~ the child, giving full information as to ~~ages~~ age, residence, and school attainment~~,~~. ~~and the~~ The board of trustees in the school district~~,~~ agreeing to accept ~~such pupils~~ the child~~,~~ shall give a written statement of agreement. Upon receipt of ~~such~~ the application, the board of trustees of the school ~~and its county board of education~~ shall determine the amount of the payment required by Section 59‑63‑45 ~~monthly per pupil cost of all overhead expenses of the school, which will include all expenses of the school not paid by the State~~. ~~Upon~~ The child shall be admitted to the schools of the adjacent county upon proper arrangement being made for the payment ~~monthly of such~~ required by Section 59‑63‑45. ~~for each such child the same shall be admitted to the schools of the adjacent county.~~

(B) The board of trustees in the school district in which the school is located may waive all or a portion of the payment required by Section 59‑63‑45.”

SECTION 2. Section 59‑63‑490 of the 1976 Code is amended to read:

“Section 59‑63‑490. (A) When it ~~shall so happen that any~~ a person is ~~so situated as to be~~ better accommodated at the school of an adjoining school district, whether special or otherwise, the board of trustees of the school district in which ~~such~~ the person resides may, with the consent of the board of trustees of the school district in which ~~such~~ the school is located, transfer ~~such~~ the person for education to the school district in which ~~such~~ the school is located, and the trustees of the school district in which the school is located shall receive ~~such~~ the person into the school as though he resided within the district.

(B) The trustees of a school district who knowingly permit the enrollment of pupils who have been transferred without the consent of the trustees of the district wherein the pupils reside are guilty of a misdemeanor and, upon conviction, shall pay a fine not exceeding twenty‑five dollars or be imprisoned not more than thirty days.

(C) When a transfer of pupils from one district to another is sought and the trustees of the latter district unreasonably or capriciously withhold their consent, the county board of education of the county in which the districts are located may, after hearing, make the transfer, but only on condition that each pupil so transferred pay the payment required by Section 59-63-45.”

SECTION 3. Section 59‑63‑500 of the 1976 Code, relating to transfer without consent of school district of residence, and Section 59‑63‑510 of the 1976 Code, relating to the county board of education authorized to order a student transfer, are repealed.

SECTION 4. This act takes effect upon approval by the Governor. ‑‑‑‑XX‑‑‑‑