~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

March 18, 2010

**S. 812**

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

S. Printed 3/18/10--S.

Read the first time May 13, 2009.

**A** **BILL**

TO PROVIDE THAT THE PARENT OR LEGAL GUARDIAN OF A STUDENT RESIDING IN SPARTANBURG OR UNION COUNTY AND ATTENDING SCHOOL IN SPARTANBURG OR UNION COUNTY AS A NON-RESIDENT MUST ARRANGE FOR THE STUDENT TO ATTEND A SCHOOL IN THE COUNTY RATHER THAN THE SCHOOL AUTHORITIES IN THE CHILD’S COUNTY OF RESIDENCE; AND TO PROVIDE THAT THE SCHOOL BOARD OF TRUSTEES FOR THE SCHOOL DISTRICT IN WHICH A CHILD IN SPARTANBURG OR UNION COUNTY RESIDES MAY NOT PREVENT A STUDENT FROM TRANSFERRING TO ANOTHER SCHOOL DISTRICT IN SPARTANBURG OR UNION COUNTY IF THE RECEIVING SCHOOL DISTRICT APPROVES THE TRANSFER.

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

SECTION 1. (A) Notwithstanding Section 59‑63‑480, if a child resides in Spartanburg County, he may attend the schools in Union County if the person responsible for educating the child receives approval for admission from school officials of Union County and payment is made pursuant to Section 59‑63‑45. If a child resides in Union County, he may attend the schools in Spartanburg county if the person responsible for educating the child receives approval for admission from school officials of Spartanburg County and payment is made pursuant to Section 59‑63‑45. The person responsible for educating a nonresident child that would like to attend school in either county pursuant to this section shall make written application to the board of trustees of the district in which the school is located for the admission of the child, giving full information as to age, residence, and school attainment. The board of trustees in the school district, agreeing to accept the child, shall give a written statement of agreement. Upon receipt of the application, the board of trustees of the school shall determine the amount of the payment required by Section 59‑63‑45. The child shall be admitted to the schools of either county upon proper arrangement being made for the payment required by Section 59‑63‑45.

(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. (A) Notwithstanding Section 59‑63‑490, when a person in Spartanburg County is better accommodated at a school in Union County, or a person in Union County is better accommodated at a school in Spartanburg County, whether special or otherwise, the board of trustees of the school district in which the person resides may, with the consent of the board of trustees of the school district in which the school is located, transfer the person for education to the school district in which the school is located, and the trustees of the school district in which the school is located shall receive 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. This act takes effect upon approval by the Governor. ‑‑‑‑XX‑‑‑‑