~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

January 31, 2013

**H. 3087**

Introduced by Reps. Merrill and Daning

S. Printed 1/31/13--H.

Read the first time January 8, 2013.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3087) to amend Section 59-40-50, as amended, Code of Laws of South Carolina, 1976, relating to various charter school requirements, powers, and duties, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, Section 59-40-50(B)(8), SECTION 1, page 1, by inserting after the period on line 41:

/ A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. /

So when amended item (8) reads:

/ “(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. A charter school also may give priority to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school, as its principal location, also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;” /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Department of Education indicates this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 59‑40‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS CHARTER SCHOOL REQUIREMENTS, POWERS, AND DUTIES, SO AS TO PROVIDE THAT A CHARTER SCHOOL LOCATED ON A FEDERAL MILITARY INSTALLATION OR BASE WHERE THE APPROPRIATE AUTHORITIES HAVE MADE BUILDINGS, FACILITIES, AND GROUNDS ON THE INSTALLATION OR BASE AVAILABLE FOR USE BY THE CHARTER SCHOOL, AS ITS PRINCIPAL LOCATION, ALSO MAY GIVE ENROLLMENT PRIORITY TO OTHERWISE ELIGIBLE STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL LIVING IN MILITARY HOUSING ON THE BASE OR INSTALLATION OR WHO ARE CURRENTLY STATIONED AT THE BASE OR INSTALLATION NOT TO EXCEED FIFTY PERCENT OF THE TOTAL ENROLLMENT OF THE CHARTER SCHOOL.

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

SECTION 1. Section 59‑40‑50(B)(8) of the 1976 Code, as last amended by Act 164 of 2012, is further amended to read:

“(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school; a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A charter school also may give priority to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school, as its principal location, also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;”

SECTION 2. This act takes effect upon approval by the Governor.

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