**A** **BILL**

TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY SCHOOL TERM, SO AS TO PROVIDE THAT A SCHOOL SEEKING A WAIVER FROM THE STATUTORY SCHOOL TERM TO OPERATE ON A YEAR‑ROUND MODIFIED SCHOOL CALENDAR SHALL SUBMIT TO THE STATE BOARD OF EDUCATION A PLAN DETAILING THE GOALS THAT SCHOOLS SEEK CONSEQUENTLY TO ACHIEVE, TO REQUIRE APPROVAL OF THE PLAN BY THE STATE BOARD OF EDUCATION BEFORE A WAIVER MAY BE GRANTED, TO REQUIRE THAT THE SCHOOL ANNUALLY REPORT ITS PROGRESS TOWARD MEETING THESE GOALS TO THE STATE BOARD, TO REQUIRE THE STATE BOARD REVIEW THE REPORT AND MAKE A DETERMINATION ON WHETHER THIS PROGRESS IS SATISFACTORY, TO PROVIDE THAT THE STATE BOARD INITIALLY MAY NOT REVOKE A WAIVER OF A SCHOOL FOR UNSATISFACTORY PROGRESS, TO PROVIDE THAT A SCHOOL CONSIDERED BY THE BOARD TO HAVE MADE UNSATISFACTORY PROGRESS MUST BE PLACED ON PROBATION FOR ONE YEAR DURING WHICH TIME IT MUST DEVELOP WITH THE STATE BOARD A PROBATION IMPROVEMENT PLAN, TO PROVIDE THAT THE BOARD SHALL REVOKE THE WAIVER OF A SCHOOL THAT FAILS TO MAKE SATISFACTORY PROGRESS ON A PROBATION IMPROVEMENT PLAN AND DIRECT THE TRANSITION OF THE SCHOOL BACK TO THE STATUTORY SCHOOL TERM, AND TO PROVIDE THAT A SCHOOL WHOSE WAIVER IS REVOKED SUBSEQUENTLY MAY APPLY FOR A WAIVER.

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

SECTION 1. Section 59‑1‑425 of the 1976 Code, as added by Act 260 of 2006, is amended by adding an appropriately lettered subsection at the end to read:

“( ) When requesting a waiver from the one hundred and eighty instructional day requirements of this section to operate on a year‑round modified school calendar, a school shall submit to the State Board of Education a plan detailing the goals that the school seeks for its students to achieve from operating on a year‑round modified school calendar. This plan must be approved by the State Board before the waiver may be granted. The school annually shall report to the State Board the progress that the school has made during the preceding year toward reaching the student achievement goals that the school stated as the rational for seeking the waiver. The State Board shall review the annual report of each exempt school and make a finding as to whether this progress is satisfactory. A school that receives a waiver from the one hundred and eighty instructional day calendar requirements of this section is not required to request a renewal of the waiver annually or otherwise, and the waiver must remain in full effect as long as the school demonstrates improvement at a rate of progress considered satisfactory by the board. If the State Board determines that satisfactory progress is not being made, it initially may not revoke the school’s waiver but instead must put the school on probation for one year, during which time the school and the State Board shall develop a probation improvement plan for the school to demonstrate improved progress to a level considered satisfactory to the State Board. If the school fails to achieve this level of progress during the probationary year, the State Board shall revoke the school’s waiver and direct the transition of the school back to the one hundred and eighty instructional day calendar. A school that has lost its waiver subsequently may seek a waiver from the one hundred and eighty instructional day calendar as provided in this section, but the State Board may consider the previous revocation of a school’s waiver when considering whether to grant a subsequent waiver to the school.”

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

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