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Indicates New Matter

INTRODUCED

May 5, 2016

**H. 5195**

Introduced by Reps. R.L. Brown, Gilliard and Tinkler

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Read the first time May 5, 2016.

**A** **BILL**

TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE GOVERNANCE OF THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THOSE PROCEDURES WHICH THE DISTRICT BOARD OF TRUSTEES MUST FOLLOW TO CLOSE A RURAL SCHOOL, TO DEFINE “RURAL SCHOOL”, TO REQUIRE THE BOARD TO DOCUMENT THAT ANY SUCH CLOSING MUST RESULT IN A REDUCTION IN THE OPERATING EXPENSES OF THE DISTRICT TRANSLATED INTO AN ESTIMATED PROPERTY TAX MILLAGE REDUCTION THAT MUST BE REFLECTED BEGINNING FOR THE FIRST PROPERTY TAX YEAR AFTER THE CLOSING DATE, TO REQUIRE THE BOARD TO CONDUCT THREE PUBLIC HEARINGS IN THE AFFECTED COMMUNITY TO RECEIVE PUBLIC COMMENTS, TO SPECIFY OTHER CONSIDERATIONS RELATING TO TRAVEL TIME AND ADDITIONAL TRAVEL EXPENSES AND THE OVERALL BENEFIT TO STUDENTS AND THE DISTRICT FROM CLOSING THE SCHOOL, TO REQUIRE THE BOARD TO PREPARE A COMPREHENSIVE REPORT ON THESE ISSUES BEFORE MAKING A DECISION ON THE CLOSING AND REQUIRE THIS REPORT, ON COMPLETION, TO BE FORWARDED TO EACH MEMBER OF THE LEGISLATIVE DELEGATION REPRESENTING THE CHARLESTON COUNTY SCHOOL DISTRICT.

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

SECTION 1. Section 5 of Act 340 of 1967, as last amended by Act 131 of 2007, is further amended by adding a new item (18) to read:

“(18)(a) Close and consolidate rural schools, but only as provided in subitem (b). For purposes of this item, a rural school is a school located in the district with an average daily membership of fewer than seven hundred fifty students. This item does not apply if a rural school is closed and replaced by a new school in the same community.

(b)(i) A rural school may not be closed unless the board, by resolution, determines that such closure will result in a reduction in the district’s operating budget, and which further specifies the amount of the savings and the county auditor’s estimate of the millage reduction the closing will allow, which must take effect for the first property tax year following the closure.

(ii) A rural school may not be closed unless the district board of trustees has conducted a series of three public hearings on separate days in a convenient location in the community in which the school is located to receive community comments and concerns. A quorum of the board is required for each hearing and the hearings must be scheduled in a manner providing for maximum public participation. Each hearing must be advertised at least one week in advance of the hearing in a newspaper of general circulation in the affected community.

(iii) Before the board may close a rural school, and in addition to the requirements of subsubitems (i) and (ii), the board shall:

(A) document the impact of closing a particular school on the travel time involved and additional transportation expense to the district, the state, and students, teachers, and administrative staff; and

(B) document the benefits of closing the school to the district and to the students of the school to be closed.

(c) After receiving public comments and completing a report that includes the board’s documented conclusions with respect to the issues specified by this item and others raised by public comments, and before the board makes any decision with respect to the closing, the board shall forward a copy of the report to the members of the legislative delegation representing the Charleston County School District.

(d) Notwithstanding the provisions of this item, a school may be closed immediately if it is determined that the health and public safety of the students are in immediate danger.”

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

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