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Indicates New Matter

COMMITTEE REPORT

May 14, 2015

**S. 703**

Introduced by Senator Hayes

S. Printed 5/14/15--S.

Read the first time April 22, 2015.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 703) to amend Section 59‑40‑50, as amended, Code of Laws of South Carolina, 1976, relating to exemptions of charter schools from certain provisions applicable to public, 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, by striking item (11) of Section 59-40-50(B) as contained in subsection B. of SECTION 1 and inserting:

/ (11) be subject to the ethics and government accountability requirements for public members and public employees as contained in Chapter 13, Title 8. For purposes of this subsection, employees of the charter school board are considered public employees. The charter contract in accordance with Section 59‑40‑60 (B) shall contain a statement of assurance of ethical compliance on behalf of the school. /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

There is no expenditure impact to the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill amends Section 59-40-50 concerning the powers and duties of charter school leaders and to provide that employees, board members, and staff of the charter schools are subject to the ethics and government accountability requirements for public members and public employees in Chapter 13, Title 8.

**The State Department of Education.** The department indicates there is no expenditure impact to the department, local school districts, or charter schools.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑40‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS OF CHARTER SCHOOLS FROM CERTAIN PROVISIONS APPLICABLE TO PUBLIC SCHOOLS, THE POWERS AND DUTIES OF A CHARTER SCHOOL, AND ADMISSIONS TO CHARTER SCHOOLS, SO AS TO AUTHORIZE A SCHOOL LEADER TO BE HIRED TO ASSIST WITH THE DAILY OPERATION OF THE SCHOOL, TO PROVIDE THAT EMPLOYEES, BOARD MEMBERS, AND STAFF OF THE CHARTER SCHOOL ARE SUBJECT TO THE ETHICS AND GOVERNMENT ACCOUNTABILITY REQUIREMENTS APPLICABLE TO PUBLIC MEMBERS AND PUBLIC EMPLOYEES, AND TO REQUIRE A STATEMENT OF COMPLIANCE ASSURANCE TO BE FILED ANNUALLY WITH THE SCHOOL’S SPONSOR AND THE STATE DEPARTMENT OF EDUCATION.

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

SECTION 1. A. Section 59‑40‑50(B)(6) of the 1976 Code, as last amended by Act 164 of 2012, is further amended to read:

“(6) hire or contract for, in its discretion, administrative staff, including a school leader, to oversee the daily operation of the school. At least one of the administrative staff must be certified or experienced in the field of school administration;”

B. Section 59‑40‑50(B) of the 1976 Code, as last amended by Act 29 of 2013, is further amended by adding a new item at the end to read:

“(11) be subject to the ethics and government accountability requirements for public members and public employees as contained in Chapter 13, Title 8. For purposes of this subsection only, employees of the charter school are considered public employees. The board chair and school leader, if the school leader is an employee of the charter school regardless of title, annually shall sign a statement of assurance of ethical compliance on behalf of the school developed by the State Department of Education which must be submitted to the sponsor and department with the charter school’s annual report and updated with new signatures within thirty days of any changes in the board chair or school leader positions.”

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

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