**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑497 SO AS TO PROVIDE A PROCESS WHEREBY THE DEPARTMENT OF ADMINISTRATION PROVIDES HEARING OFFICERS FOR ANY CASE INVOLVING THE STATE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION.

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

SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑497. (A) Notwithstanding Section 59‑5‑70 or any other provision of law, the State Department of Education shall develop a memorandum of understanding with the Department of Administration whereby the Department of Administration, upon request, provides a rotating group of qualified individuals to serve as hearing officers, where necessary, in all cases involving the State Department of Education or the State Board of Education. The authority to assign a hearing officer is entirely the decision of the Department of Administration and any request or suggestion meant to influence that decision is improper. The Department of Administration shall place enough individuals into the rotating group to prevent any hearing officer from becoming biased or vested in outcomes.

(B) Only a hearing officer assigned pursuant to this section may serve as a hearing officer in any case involving the State Department of Education or the State Board of Education.”

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

‑‑‑‑XX‑‑‑‑