~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 11, 2021

**S. 208**

Introduced by Senators Hembree and Bennett

S. Printed 2/11/21--S.

Read the first time January 12, 2021.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 208) to amend Section 59‑19‑350(a) of the 1976 Code, relating to schools of choice, to provide that school districts may instead create, 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, on page 1, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school~~ schools of ~~choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(2) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.” /

Renumber sections to conform.

Amend title to conform.

GREG HEMBREE for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill changes the phrase “school of choice” to “schools of innovation” as it relates to local school boards creating flexible ways to educate children within a district that are exempt from state statutes that govern other schools in the district. The exemption must be approved by a two-thirds vote of the State Board of Education.

**State Department of Education.** SDE indicates that this bill will have no expenditure impact on the State Board of Education in FY 2021-22 since it requires the Board to perform activities within the normal course of business.

**State Agency Schools.** The Governor’s School for Science and Mathematics, the Governor’s School for the Arts and Humanities, the School for the Deaf and Blind, and the Wil Lou Gray Opportunity School indicate that this bill will have no expenditure impact in FY 2021-22 since the bill does not change the duties or responsibilities of the agencies. Due to these responses, we do not expect that this bill will have an expenditure impact on the Governor’s School for Agriculture at John de la Howe in FY 2021-22. Therefore, this bill will have no expenditure impact on state agency schools in FY 2021-22.

**Local Expenditure**

This bill changes the phrase “school of choice” to “schools of innovation” as it relates to local school boards creating flexible ways to educate children within a district that are exempt from state statutes that govern other schools in the district.

SDE indicates that the bill will have no expenditure impact on local school districts in FY 2021-22 since it does not change the duties or responsibilities of school districts.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑19‑350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

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

SECTION 1. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school~~ schools of ~~choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.”

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

‑‑‑‑XX‑‑‑‑