**A** **BILL**

TO AMEND SECTION 59‑6‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, COMPOSITION, POWERS, AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO ABOLISH THE COMMITTEE AND DEVOLVE ITS FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES, AND AUTHORITY UPON THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION BASED ON RECOMMENDATIONS REPORTED BY A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE COMPOSITION, FUNCTIONS, AND DUTIES OF THE JOINT COMMITTEE.

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

SECTION 1. Section 59‑6‑10 of the 1976 Code, as last amended by Act 1 of 2019, is further amended to read:

“Section 59‑6‑10. (A) ~~In order to assist in, recommend, and supervise implementation of programs and expenditure of funds for the Education Accountability Act and the Education Improvement Act of 1984, the Education Oversight Committee is to serve as the oversight committee for these acts. The Education Oversight Committee shall:~~

~~(1) review and monitor the implementation and evaluation of the Education Accountability Act and Education Improvement Act programs and funding;~~

~~(2) make programmatic and funding recommendations to the General Assembly;~~

~~(3) report annually to the General Assembly, State Board of Education, and the public on the progress of the programs;~~

~~(4) recommend Education Accountability Act and EIA program changes to state agencies and other entities as it considers necessary.~~

~~Each state agency and entity responsible for implementing the Education Accountability Act and the Education Improvement Act funded programs shall submit to the Education Oversight Committee programs and expenditure reports and budget requests as needed and in a manner prescribed by the Education Oversight Committee.~~

~~The committee consists of the following persons:~~

~~(1) Speaker of the House of Representatives or his designee;~~

~~(2) President Pro Tempore of the Senate or his designee;~~

~~(3) Chairman of the Education and Public Works Committee of the House of Representatives or his designee;~~

~~(4) Chairman of the Education Committee of the Senate or his designee;~~

~~(5) Governor or his designee;~~

~~(6) Chairman of the Ways and Means Committee of the House of Representatives or his designee;~~

~~(7) Chairman of the Finance Committee of the Senate or his designee;~~

~~(8) State Superintendent of Education or the superintendent’s designee who shall be an ex officio nonvoting member;~~

~~(9) five members representing business and industry who must have experience in business, management, or policy to be appointed as follows: one by the Governor, one by the President Pro Tempore of the Senate, one by the Speaker of the House, one by the Chairman of the Senate Education Committee, and one by the Chairman of the House Education and Public Works Committee; and~~

~~(10) five members representing public education teachers and principals to be appointed as follows: one by the Governor, one by the President Pro Tempore of the Senate, one by the Speaker of the House, one by the Chairman of the Senate Education Committee, and one by the Chairman of the House Education and Public Works Committee.~~

~~Initial appointment must be made by July 31, 1998, at which time the Governor or his designee shall call the first meeting. At the initial meeting, a chairman elected from the members representing the business and industry appointees and a vice chairman representing the education members shall be elected by a majority vote of the committee. The members appointed pursuant to items (1) through (8) may serve notwithstanding the provisions of Section 8‑13‑770. Their terms of office on the committee must be coterminous with their terms of office as Governor, Superintendent of Education, or members of the General Assembly.~~

~~(B) The terms of office of the members of the Education Oversight Committee, except for the legislative members, Governor, and State Superintendent of Education, are four years and until their successors are appointed and qualify except of those first appointed the terms must be staggered as follows:~~

~~(1) initial terms of two years shall be served by the two members of the business and industry community appointed by the chairmen of the Education Committees;~~

~~(2) initial terms of three years shall be served by the members of the education community appointed by the President Pro Tempore of the Senate and the Speaker of the House; and~~

~~(3) all other voting members shall serve initial four‑year terms. The terms of chairman and vice chairman shall be two years. At the end of each two‑year term, an election must be held for the chairmanship and vice chairmanship by majority vote of the members attending with quorum present. No member shall serve more than four consecutive years as chairman or vice chairman.~~

~~Members of the committee shall meet no less than once a quarter and annually shall submit their findings and recommendations to the General Assembly before March first of each fiscal year. The staff positions of the Education Oversight Committee and the people presently in those positions initially shall be transferred to the Education Oversight Committee as administrative staff to carry out its functions~~ Effective July 1, 2023, the Education Oversight Committee is abolished and its functions, powers, duties, responsibilities, and authority are devolved upon the State Department of Education.

(B)(1) A joint committee must be appointed to review and make recommendations as to which of the functions, powers, duties, responsibilities, and authority of the Education Oversight Committee are to be devolved upon the State Department of Education and which functions, powers, duties, responsibilities, and authority of the Education Oversight Committee are to be devolved upon the State Board of Education.

(2) The joint committee shall consist of five members appointed by the Chairman of the House Education and Public Works Committee and five members appointed by the Chairman of the Senate Education Committee. The committee must be co‑chaired by one member of the House and one member of the Senate.

(3) A report must be provided to the Speaker of the House and President Pro Tempore of the Senate within ninety days after the first meeting of the joint committee, for the purpose of developing legislation to implement the requirements of subsection (A).”

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

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