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Indicates New Matter

COMMITTEE REPORT

January 27, 2021

**H. 3589**

Introduced by Reps. Allison, Lucas, M.M. Smith, Calhoon and Felder

S. Printed 1/27/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3589) to amend Section 59‑19‑350, Code of Laws of South Carolina, 1976, relating to the establishment of schools of choice exempt from certain statutes and regulations, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill changes the phrase “a school of choice” to “one or more schools of intervention” as it relates to local school boards creating flexible ways to educate children within a district that are exempt from state statutes and regulations that govern other schools in the district. The bill also prevents districts from designating all schools in the district as schools of innovation. Further, the bill outlines the steps a school district must follow to achieve the status of exemption. The exemption must be approved by a two-thirds vote of the State Board of Education. Once approved by the State Board of Education, a school of innovation designation is for four years from the date of approval and may be renewed through the same process as for the initial approval.

**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 Wil Lou Gray Opportunity School, and the School for the Deaf and Blind 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. Therefore, this bill will have no expenditure impact on state agency schools in FY 2021-22.

**Local Expenditure**

This bill changes the phrase “a school of choice” to “one or more schools of intervention” as it relates to local school boards creating flexible ways to educate children within a district that are exempt from state statutes and regulations that govern other schools in the district. The bill also prevents districts from designating all schools in the district as schools of innovation. Further, the bill outlines the steps a school district must follow to achieve the status of exemption. The exemption must be approved by a two-thirds vote of the State Board of Education. Once approved by the State Board of Education, a school of innovation designation is for four years from the date of approval and may be renewed through the same process as for the initial approval.

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, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

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:

“(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 of choice~~ one or more schools of innovation within the district that ~~is~~ are exempt from state statutes and regulations applicable to ~~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 the State Board of Education~~, provided a district may not designate all schools in the district as schools of innovation.

(2) To achieve the status of exemption:

(a) A school district must identify each state statute, regulation and local district policy from which the school is requesting exemption and specify how this flexibility will support academic achievement for students and the Profile of the Graduate. No district is permitted to request flexibility from all state regulations and statutes for any school or schools.

(b) The district superintendent must submit a request containing the information in subitem (a) to the local board of trustees for approval, which must be considered in a public meeting and requires a two‑thirds vote of the board for approval. Any change in the request must be approved by the local board by a two‑thirds vote.

(c) Once approved by a local school board, the district superintendent must submit the request to the State Board of Education for approval, which requires a two‑thirds vote of the State Board. Any change in the plan must be approved by the State Board by a two‑thirds vote.

(d) Once approved by the State Board, a school of innovation designation is for four years from the date of approval but may be renewed through the same process as for the initial approval in this subsection.”

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

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