**A** **BILL**

TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO THE STATUTORY SCHOOL TERM, TO PROVIDE THAT A SCHOOL SEEKING A WAIVER FROM THE STATUTORY SCHOOL TERM TO OPERATE ON A YEAR‑ROUND MODIFIED SCHOOL CALENDAR SHALL SUBMIT TO THE STATE BOARD OF EDUCATION A PLAN DETAILING THE GOALS THAT THE SCHOOL CONSEQUENTLY SEEKS TO ACHIEVE, TO REQUIRE THE APPROVAL OF THE PLAN BY THE STATE BOARD OF EDUCATION BEFORE A WAIVER MAY BE GRANTED, TO REQUIRE THAT THE SCHOOL MUST ANNUALLY REPORT ITS PROGRESS TOWARD MEETING THESE GOALS TO THE STATE BOARD, TO REQUIRE THAT THE STATE BOARD MUST REVIEW THE REPORT AND MAKE A DETERMINATION ON WHETHER THE SCHOOL’S PROGRESS IS SATISFACTORY, TO PROVIDE THAT THE STATE BOARD MAY NOT INITIALLY REVOKE A WAIVER OF A SCHOOL FOR UNSATISFACTORY PROGRESS, TO PROVIDE THAT A SCHOOL CONSIDERED BY THE STATE BOARD TO HAVE MADE UNSATISFACTORY PROGRESS MUST BE PLACED ON PROBATION FOR ONE YEAR AND DEVELOP A PROBATION IMPROVEMENT PLAN, TO PROVIDE THAT THE STATE BOARD SHALL REVOKE THE WAIVER OF A SCHOOL THAT FAILS TO MAKE SATISFACTORY PROGRESS ON A PROBATION IMPROVEMENT PLAN AND DIRECT THE TRANSITION OF THE SCHOOL BACK TO THE STATUTORY SCHOOL TERM, AND TO PROVIDE THAT A SCHOOL THAT HAS HAD ITS WAIVER REVOKED MAY SUBSEQUENTLY APPLY FOR A WAIVER.

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

SECTION 1. Section 59‑1‑425 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) If a school is requesting a waiver from the one hundred eighty instructional day requirements of this section to operate on a year‑round modified school calendar, then the school shall submit to the State Board of Education a plan detailing student achievement goals that the school seeks to achieve by operating on a year‑round modified school calendar. This plan must be approved by the State Board before a waiver may be granted. The school shall annually report to the State Board the progress that the school has made during the preceding year toward reaching the student achievement goals that the school stated as its rationale for seeking a waiver. The State Board shall review the annual report of each exempt school and make a finding as to whether its progress is satisfactory. A school that receives a waiver from the one hundred eighty instructional day calendar requirements of this section is not required to request a renewal of its waiver annually or otherwise, and a waiver must remain in full effect as long as a school demonstrates improvement at a rate of progress considered satisfactory by the State Board. If the State Board determines that satisfactory progress is not being made, then it may not initially revoke the school’s waiver but instead must put the school on probation for one year, during which time the school and the State Board shall develop a probation improvement plan for the school to demonstrate improved progress to a level considered satisfactory to the State Board. If the school fails to achieve this level of progress during the probationary year, then the State Board shall revoke the school’s waiver and direct the transition of the school back to the one hundred eighty instructional day calendar. A school that has lost its waiver may subsequently seek a waiver from the one hundred eighty instructional day calendar as provided in this section, but the State Board may consider the previous revocation of a school’s waiver if considering whether to grant a subsequent waiver to the school.”

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

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