

South Carolina General Assembly
119th Session, 2011-2012

H. 3013

STATUS INFORMATION

General Bill

Sponsors: Reps. Cooper, Ballentine, Allison, G.R. Smith and Hamilton

Document Path: I:\council\ bills\ agm\ 18258bh11.docx

Prefiled in the House on December 7, 2010

Currently residing in the House Committee on **Education and Public Works**

Summary: School districts

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
12/7/2010	House	Prefiled
12/7/2010	House	Referred to Committee on Education and Public Works

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VERSIONS OF THIS BILL

[12/7/2010](#)

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A BILL

11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,
12 1976, BY ADDING SECTION 59-18-1125 SO AS TO PROVIDE
13 THAT A LOCAL SCHOOL DISTRICT IS EXEMPT FROM
14 STATE STATUTES AND REGULATIONS PROMULGATED
15 BY THE STATE BOARD UPON MEETING CERTAIN
16 CONDITIONS, TO REQUIRE THE DISTRICT TO APPLY TO
17 THE STATE BOARD FOR EXEMPTION FROM SPECIFIC
18 STATUTES AND REGULATIONS, TO SPECIFY WHAT THE
19 APPLICATION MUST INCLUDE, TO SPECIFY HOW THE
20 APPLICATION MUST BE MADE, TO REQUIRE THE STATE
21 BOARD OF EDUCATION TO ADOPT RULES AND
22 PROMULGATE REGULATIONS REGARDING
23 APPLICATION PROCEDURES, TO PROVIDE THAT A
24 LOCAL SCHOOL DISTRICT THAT RECEIVES AN
25 EXEMPTION MUST BE EVALUATED BY THE STATE
26 BOARD AFTER THREE YEARS TO ENSURE THAT IT
27 CONTINUES TO MEET THE NEEDS OF THE STUDENTS OF
28 THE DISTRICT, AND TO PROVIDE FOR SUSPENSION OF
29 TH EXEMPTION UPON CERTAIN CONDITIONS; AND TO
30 REPEAL SECTIONS 59-18-1110 AND 59-18-1120, BOTH
31 RELATING TO EXEMPTION FROM REGULATION.

32
33 Be it enacted by the General Assembly of the State of South
34 Carolina:

35
36 SECTION 1. Article 11, Chapter 18, Title 59 of the 1976 Code is
37 amended by adding:

38
39 “Section 59-18-1125. (A) A local school district board of
40 trustees of this State is exempt from state statutes and regulations
41 promulgated by the State Board of Education as provided in this
42 section. A school district seeking exemption from specific statutes

1 and regulations shall apply to the State Board of Education. The
2 application must include the specific statute or regulation of which
3 the district seeks exemption, the duration of the desired exemption,
4 specific justification for the exemption, and an evaluation
5 component designed to document the success of the exemption,
6 including provisions for suspension of the exemption should the
7 evaluation denote lack of success. Submission of the application
8 must be made to the State Board of Education by the chair of the
9 district board of trustees, the superintendent of the district, and the
10 principals of the affected schools, as appropriate. An application
11 submitted pursuant to the provisions of this section must be
12 approved by the State Board of Education. The State Board of
13 Education shall adopt rules and promulgate regulations regarding
14 application procedures to include procedures for renewal and
15 suspension of an exemption.

16 (B) A local school district that receives an exemption pursuant
17 to subsection (A) shall submit evaluation documentation required
18 in subsection (A) to be reviewed by the state board after three
19 years of the exemption to ensure that the district continues to meet
20 the needs of its students. Upon review, if the state board
21 determines the continuation of the exemption does not meet the
22 needs of the district, the state board shall notify the district of
23 suspension of the exemption.”

24
25 SECTION 2. Sections 59-18-1110 and 59-18-1120 of the 1976
26 Code are repealed.

27
28 SECTION 3. This act takes effect upon approval by the Governor.

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