

SENATE AMENDMENT

SC

March 15, 2022

BILL NO. S. 544

(Reference is to 3/2/22 Working Document)

Senator TALLEY proposed the following amendment:

Amend the bill, Section 59-63-25, subsection (A) page 1, lines 32-36:

(A) Beginning with the 2023-2024 school year, each local board of trustees shall follow the policy and procedures established pursuant to this section for extending open enrollment opportunities that allow parents to apply for their child to enroll in any particular program or school ~~within the district.~~

Renumber sections to conform

Amend title to conform

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Senator TALLEY proposed the following amendment:

Amend the bill, Section 59-63-25, subsection (B) page 2, lines 16-19:

(B)(1)(f) describe whether the district ~~will~~ **may** charge nonresident students a fee to cover costs associated with their enrollment that are not covered by federal or state, or local funding, **and if so, how such a fee is calculated:** and

and page 3, lines 3-4:

(B)(2)(f) have more than one open enrollment application deadline for intra-district applications, or for inter-district applications. Applications shall be accepted no earlier than November 1 in a calendar year with a cut off for applications no later than January 31.

Renumber sections to conform

Amend title to conform

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Senator TALLEY proposed the following amendment:

Amend the bill, Section 59-63-25(C)(5), page 4, lines 11-42, and page 5, lines 1-3:

5) A school or district receiving an application request for enrollment from a student pursuant to this section and district policy shall respond with a written decision accepting or denying the request within thirty days after ~~receiving the request for enrollment~~ the application deadline as published.

(a) If a request is denied, the written decision must cite the specific reasons for the denial ~~and include notice of the opportunity for the parent to appeal the denial pursuant to the district grievance policy and timeline developed and adopted pursuant to this Chapter and in accordance with state statute.~~ If a school or district fails to respond with its written decision within thirty days ~~of after~~ the application deadline as published ~~or to respond to a request for a subsequent appeal in a timely manner,~~ the request shall be considered accepted and the student may enroll in the program or school, subject to other applicable laws regarding the enrollment of students in public schools.

~~(b) A parent of a student whose child is denied enrollment in a program or school pursuant to this section may upon good cause appeal the decision to the superintendent of the district from which the denial was issued, or to his designee. The school or the parent may appeal an adverse decision by the superintendent to the local board of trustees. The local school board shall hold the hearing within thirty days after receiving a written request, unless the parties mutually agree otherwise; ensure the proceeding is recorded and a transcript is created; and issue a written order within ten days after the hearing. The written order must contain findings of fact, conclusions of law, and the disposition of the matter.~~

~~— (c) A party aggrieved by the decision of the school board shall have the right to appeal to the court of common pleas of the county, where the matter will be tried de novo by the circuit judge. The appealing party shall file its appeal within thirty days of the issuance of the written decision provided in subitem (b). The local school board shall certify to the court the record of the proceedings upon which its written order was based, and the court shall admit the record as evidence and consider the record, along with any additional evidence either of the parties wish to present. A student who prevails in an action in the circuit court pursuant to this subitem may recover reasonable attorney's fees and costs associated with the action.~~