**A** **BILL**

TO AMEND SECTION 59‑40‑75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

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

SECTION 1. Section 59‑40‑75(B) of the 1976 Code is amended to read:

“(B) ~~A member of the South Carolina Public Charter School District or of the governing board of the charter school who is guilty~~ Notwithstanding another provision of law to the contrary, members of a charter school board of directors who wilfully commit or engage in an act of malfeasance, misfeasance, ~~incompetency,~~ absenteeism, conflicts of interest, misconduct, or persistent neglect of duty in office, or ~~incapacity~~ are deemed incompetent or incapacitated, may be removed from office by the Governor upon any of the forgoing causes being made to the satisfaction of the Governor. Before removing the officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of directors as a result of removal pursuant to this subsection must be filled in the manner provided in the charter school’s sponsor‑approved bylaws.”

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

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