

SECTION 59-18-1110. Grant of flexibility of receiving exemption from regulations; criteria; continuation of and removal from flexibility status.

(A) Notwithstanding any other provision of law, a school is given the flexibility of receiving exemptions from those regulations and statutory provisions governing the defined program provided that, during a three-year period, the following criteria are satisfied:

(1) the school has twice been a recipient of a Palmetto Gold or Silver Award, pursuant to Section 59-18-1100;

(2) the school has met annual improvement standards for subgroups of students in reading and mathematics; and

(3) the school has exhibited no recurring accreditation deficiencies.

(B) Schools receiving flexibility status are released from those regulations and statutory provisions referred to above including, but not limited to, regulations and statutory provisions on class scheduling, class structure, and staffing.

(C) To continue to receive flexibility pursuant to this section, a school must annually exhibit school improvement at or above the state average as computed in the school recognition program pursuant to Section 59-18-1100 and must meet the gains required for subgroups of students in reading and mathematics. A school which does not requalify for flexibility status due to extenuating circumstances may apply to the State Board of Education for an extension of this status for one year.

(D) In the event that a school is removed from flexibility status, the school is not subject to regulations and statutory provisions exempted under this section until the beginning of the school year following notification of the change in status by the State Department of Education. Subsequent monitoring by the State Department of Education in a school that is removed from flexibility status shall not include a review of program records exempted under this section for the period that the school has received flexibility status or for the school year during which the school was notified of its removal from flexibility status.

CREDIT(S)

HISTORY: 1998 Act No. 400, Section 2; 2008 Act No. 282, Section 1, eff June 5, 2008.

EFFECT OF AMENDMENT

The 2008 amendment, in subsection (B), deleted the second sentence relating to promulgation of regulations.

LIBRARY REFERENCES Schools 47.

Westlaw Key Number Search: 345k47.

C.J.S. Schools and School Districts Sections 81 to 92, 174.

SECTION 59-18-1120. Grant of flexibility of exemption from regulations and statutes to school designated as school/district at-risk; extension to other schools.

(A) Notwithstanding any other provision of law, a school designated as school/district at-risk while in such status is given the flexibility of receiving exemptions from those regulations and statutory provisions governing the defined program or other State Board of Education regulations, dealing with the core academic areas as outlined in Section 59-18-120, provided that the review team recommends such flexibility to the State Board of Education.

(B) Other schools may receive flexibility when their school renewal plan explains why such exemptions are expected to improve the academic performance of the students and the plan meets the approval by the State Board of Education. To continue to receive flexibility pursuant to this section, a school must annually exhibit overall school improvement as outlined in its revised plan and must meet the gains set for subgroups of students in content areas included in the accountability assessments. A school which does not requalify for flexibility status due to extenuating circumstances may apply to the State Board of Education for an extension of this status for one year according to the provisions of Section 59-18-1110(D).

CREDIT(S)

HISTORY: 1998 Act No. 400, Section 2; 2008 Act No. 282, Section 1, eff June 5, 2008.

EFFECT OF AMENDMENT

The 2008 amendment, in subsection (A), substituted “school/district at-risk” for “unsatisfactory”; and, in subsection (B), in the first sentence substituted “school renewal” for “strategic”, and in the second sentence “content areas included in the accountability assessments” for “reading and mathematics”.

LIBRARY REFERENCES

Schools 47.

Westlaw Key Number Search: 345k47.

C.J.S. Schools and School Districts Sections 81 to 92, 174.

SECTION 59-18-1130. Use of funds appropriated for professional development.

(A) Notwithstanding another provision of law to the contrary, funds appropriated for professional development must be used for certificated instructional and instructional leadership personnel in grades kindergarten through twelve in the academic areas for which State Board of Education standard documents have been approved to better link instruction and lesson plans to the standards and to statewide adopted readiness assessment tests, to develop classroom assessments consistent with the standards and testing measures, and to analyze assessment results for needed modification in instructional strategies. No more than five percent of funds appropriated for professional development may be retained by the State Department of Education for administration of the program; however, a district may choose to purchase professional development services provided by the State Department of Education with the funds allocated to the districts for professional development. Funds also may be expended for certificated instructional and instructional leadership personnel in grades six through twelve to achieve competency in teaching reading to students who score below proficient on the reading component of assessment tests.

(B) Two hundred fifty thousand dollars of the funds allocated to professional development must be provided to the State Department of Education to implement successfully the South Carolina Readiness Assessment by creating a validation process for teachers to ensure reliable administration of the assessment, providing professional development on effective utilization, and establishing the relationship between the readiness measure and third grade standards-based assessments. Multi-day work sessions must be provided around the State during the summer, fall, and winter using staff development days and teacher workdays. Two of the remaining professional development days must be set aside for the specific purpose of preparing and opening schools. District instructional leaders, regional service centers, consortia, development personnel, university faculty, contracted providers, and the resources of the Educational Television Network may be used to implement the professional development initiative. Teachers participating in the program shall receive credit toward recertification according to State Board of Education guidelines. Funds provided for professional development on standards may be carried forward into the current fiscal year to be expended for the same purpose. No less than twenty-five percent of the funds allocated for professional development may be expended on the teaching of reading, which includes teaching reading across content areas in grades three through eight.

CREDIT(S)

HISTORY: 2008 Act No. 353, Section 2, Pt 1A.A, eff July 1, 2009.