~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 22, 2015

**S. 629**

Introduced by Senator Hayes

S. Printed 4/22/15--S.

Read the first time March 31, 2015.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 629) to amend Section 59‑1‑425, Code of Laws of South Carolina, 1976, relating to the mandate that school days missed due to weather conditions or other disruptions, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 59‑1‑425(B) and (C) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(B) Notwithstanding any other provisions of law to the contrary, all school days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close must be made up. All school districts shall designate annually at least three days within their school calendars to be used as make‑up days in the event of these occurrences. If those designated days have been used or are no longer available, the local school board of trustees may lengthen the hours of school operation by no less than one hour per day for the total number of hours missed ~~or~~, operate schools on Saturday, or may waive up to three days. A waiver granted by the local board of trustees of the requirement for making up the three or fewer days missed only may be authorized by a majority vote of the local school board, and may not be granted for a school in the district until the school has made up three full days, or the equivalent number of hours, missed due to snow, extreme weather, or other disruptions requiring the school to close during the same school year in which the waiver is sought. When a district waives a make‑up day pursuant to this section, the make‑up day also is waived for all charter schools located in the district and for all students participating in a home schooling program approved by the board of trustees of the district in which the student resides. Schools operating on a four‑by‑four block schedule shall make every effort to make up the time during the semester in which the days are missed. A plan to make up days by lengthening the school day must be approved by the Department of Education before implementation. Tutorial instruction for grades 7 through 12 may be taught on Saturday at the direction of the local school board. If a local school board authorizes make‑up days on Saturdays, tutorial instruction normally offered on Saturday for seventh through twelfth graders must be scheduled at an alternative time.

(C) The ~~General Assembly by law~~ State Board of Education may waive the requirements of making up ~~missed~~ days ~~or, by law, may authorize the school board of trustees to forgive up to three days~~ beyond the three days forgiven by the local school district, not to exceed three additional days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. ~~A waiver granted by the local board of trustees of the requirement for making up missed days also must be authorized through a majority vote of the local school board.~~ Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board.

(D) The State Department annually before July first shall provide the General Assembly with a detailed report of information from each district listing the number of:

(1) days missed and the reason, regardless of whether any were missed;

(2) days made up; and

(3) days waived.”

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

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill will have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

Senate Bill 629 amends Section 59-1-425 to allow local school board of trustees to waive up to three full school days missed during the school year due to inclement weather or building related malfunctions. This bill also grants the State Board of Education the authority to waive up to three additional full school days missed during the school year due to inclement weather or building related malfunctions. The Department of Education indicates there will be no expenditure impact on the general fund, federal funds, or other funds.

**Local Expenditure**

Responses from the local school districts to the Department of Education indicate there will be no expenditure impact.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATE THAT SCHOOL DAYS MISSED DUE TO WEATHER CONDITIONS OR OTHER DISRUPTIONS BE MADE UP, SO AS TO PROVIDE A LOCAL SCHOOL BOARD MAY WAIVE UP TO THREE SUCH MISSED DAYS, TO PROVIDE THIS WAIVER ONLY MAY BE GRANTED BY MAJORITY VOTE OF THE LOCAL SCHOOL BOARD, TO PROVIDE THE STATE BOARD OF EDUCATION MAY WAIVE THREE OR FEWER SUCH MISSED DAYS IN ADDITION TO THOSE WAIVED BY THE LOCAL SCHOOL BOARD, AND TO PROVIDE THESE WAIVERS ONLY MAY BE GRANTED BY MAJORITY VOTE OF THE LOCAL SCHOOL BOARD AND ONLY MAY BE GRANTED AT THE REQUEST OF THE LOCAL SCHOOL BOARD.

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

SECTION 1. Section 59‑1‑425(B) and (C) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(B) Notwithstanding any other provisions of law to the contrary, all school days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close must be made up. All school districts shall designate annually at least three days within their school calendars to be used as make‑up days in the event of these occurrences. If those designated days have been used or are no longer available, the local school board of trustees may lengthen the hours of school operation by no less than one hour per day for the total number of hours missed ~~or~~, operate schools on Saturday, or may waive up to three days. A waiver granted by the local board of trustees of the requirement for making up the three or fewer days missed only may be authorized by a majority vote of the local school board. Schools operating on a four‑by‑four block schedule shall make every effort to make up the time during the semester in which the days are missed. A plan to make up days by lengthening the school day must be approved by the Department of Education before implementation. Tutorial instruction for grades 7 through 12 may be taught on Saturday at the direction of the local school board. If a local school board authorizes make‑up days on Saturdays, tutorial instruction normally offered on Saturday for seventh through twelfth graders must be scheduled at an alternative time.

(C) The ~~General Assembly by law~~ State Board of Education may waive the requirements of making up ~~missed~~ days ~~or, by law, may authorize the school board of trustees to forgive up to three days~~ beyond the three days forgiven by the local school district, not to exceed three additional days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. ~~A waiver granted by the local board of trustees of the requirement for making up missed days also must be authorized through a majority vote of the local school board.~~ Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board.”

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

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