**South Carolina General Assembly**

124th Session, 2021-2022

**S. 323**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Fanning

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Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Education**

Summary: Charter school authorizers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Education**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 265](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 265](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=323&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\323_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑237 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY DIRECT AUTHORIZERS OF CHARTER SCHOOLS TO WITHHOLD STATE FUNDING FROM CHARTER SCHOOLS THAT FAIL TO COMPLY WITH ANY PROVISIONS OF THE SOUTH CAROLINA CHARTER SCHOOLS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL WITHHOLD ALL FUTURE REVENUES FROM CHARTER SCHOOL AUTHORIZERS WHO FAIL TO COMPLY WITH THESE WITHHOLDING DIRECTIVES.

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

SECTION 1. Chapter 40, Title 59 of the 1976 Code is amended by adding:

“Section 59‑40‑237. (A) If a charter school fails to meet any of the provisions of this chapter, the State Superintendent of Education may direct the authorizer of that charter school to withhold not less than ten percent but not more than fifty percent of state funding from that school, depending on the severity of the violation. The determination of exactly what amount to withhold is within the sole discretion of the State Superintendent of Education.

(B) The State Department of Education shall withhold all future revenues from an authorizer that fails to timely comply with a directive by the State Superintendent of Education to withhold funds from a charter school made pursuant to subsection (A). If an authorizer whose funds have been suspended by the department subsequently fully complies with the directive, the department may resume the provision of funding to the authorizer.

(C) The provisions of this section apply notwithstanding another provision of law.”

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

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