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CONFERENCE COMMITTEE REPORT ADOPTED -- NOT PRINTED

April 21, 2021

**H. 3589**

Introduced by Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins

S. Printed 3/4/21--S.

Read the first time January 12, 2021.

**A** **BILL**

TO AMEND SECTION 59‑19‑350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

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

SECTION 1. Section 59‑19‑350(A) of the 1976 Code is amended to read:

“(A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school of choice~~ one or more schools of innovation within the district that ~~is~~ are exempt from applicable state statutes and regulations which govern other schools in the district ~~and regulations promulgated by the State Board of Education~~. To achieve the status of a school of innovation and have exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption and shall disclose the financial model to be used. The exemption may be granted by the governing board of the district only if there is a two‑thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education, provided a district may not designate all schools in the district as schools of innovation.

(2) To achieve the status of exemption:

(a) A school district must identify each state statute, regulation and local district policy from which the school is requesting exemption and specify how this flexibility will support academic achievement for students and the Profile of the Graduate. No district is permitted to request flexibility from all state regulations and statutes for any school or schools.

(b) The district superintendent must submit a request containing the information in subitem (a) to the local board of trustees for approval, which must be considered in a public meeting and requires a two‑thirds vote of the board for approval. Any change in the request must be approved by the local board by a two‑thirds vote.

(c) Once approved by a local school board, the district superintendent must submit the request to the State Board of Education for approval, which requires a two‑thirds vote of the State Board. Any change in a request that is pending approval by, or has been approved by, the State Board of Education must be made in the same manner as provided in subitem (b) and this subitem for initial requests.

(3) Each school of innovation annually before July first shall:

(a) demonstrate compliance with the financial model identified in item (1);

(b) provide full financial statements detailing how it receives and expends funds; and

(c) report the academic achievement of its students as indicated by the performance of its students on the same assessments and matrices required of all other public schools, based on grade level.

(4) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.”

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

/s/Sen. Nikki Giles Setzler Rep. Merita Ann “Rita” Allison

/s/Sen. Greg Hembree /s/Rep. R. Raye Felder

/s/Sen. Rex Fontaine Rice /s/Rep. Terry Alexander

On Part of the Senate. On Part of the House.

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