

(A21, R40, H3890)

AN ACT TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS MUST BE MADE UP, SO AS TO PROVIDE WHEN DESIGNATED MAKE-UP DAYS ARE USED OR ARE NO LONGER AVAILABLE IN A DISTRICT, THE DISTRICT BOARD OF TRUSTEES BY MAJORITY VOTE MAY WAIVE THE MAKE-UP REQUIREMENT FOR THREE OR FEWER ADDITIONAL MISSED DAYS; TO PROVIDE THAT AFTER THE 2014-2015 SCHOOL YEAR THIS WAIVER 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; TO EXTEND WAIVERS TO ALL CHARTER SCHOOLS AND HOME SCHOOLING PROGRAMS LOCATED IN THE DISTRICT; TO PROVIDE CONDITIONS IN WHICH THE STATE BOARD MAY WAIVE ADDITIONAL MISSED DAYS AND TO IMPOSE A REPORTED REQUIREMENT; AND TO DELETE PROVISIONS AUTHORIZING THE GENERAL ASSEMBLY TO WAIVE MISSED DAYS.

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

School closing make-up day waivers

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, 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, after the completion of the 2014-2015 school year, 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 State Board of Education may waive the requirements of making up 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. 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. 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."

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.