

Session 115 - (2003-2004)

H 4653 General Bill, By W.D. Smith, Wilkins and Cotty

Summary: SC Parental Responsibilities Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA PARENTAL RESPONSIBILITIES ACT OF 2004"; BY ADDING SECTION 59-63-205 SO AS TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL ADOPT A STUDENT DISCIPLINE POLICY AND TO DEFINE CERTAIN TERMS; BY ADDING SECTION 59-28-230 SO AS TO PROVIDE THAT IF A PARENT FAILS TO ATTEND A SCHOOL'S THIRD REQUEST FOR A CONFERENCE TO DISCUSS THE CHILD'S ACADEMIC PROGRESS OR VIOLATION OF SCHOOL RULES, THE DISTRICT SUPERINTENDENT, UPON CERTAIN CONDITIONS, MAY REQUEST THAT THE MAGISTRATE ISSUE A SUBPOENA TO COMPEL THE PRESENCE OF THE PARENT AND TO PROVIDE PENALTIES; BY ADDING SECTION 59-28-240 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP IN-SERVICE TRAINING PROGRAMS FOR APPROPRIATE SCHOOL PERSONNEL WHO WORK WITH STUDENTS AT RISK OF FAILURE AND THEIR PARENTS; TO AMEND SECTION 59-26-20, AS AMENDED, RELATING TO DUTIES OF STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION, SO AS TO PROVIDE THAT THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION SHALL ADOPT PROGRAM APPROVAL STANDARDS FOR STUDENTS PURSUING A COLLEGE OR UNIVERSITY PROGRAM IN INSTRUCTIONAL OR ADMINISTRATIVE PERSONNEL SHALL COMPLETE TRAINING IN WORKING WITH STUDENTS AT RISK OF FAILURE AND THEIR PARENTS; BY ADDING ARTICLE 6, CHAPTER 65, TITLE 59 SO AS TO PROVIDE THAT EACH SCHOOL DISTRICT BOARD OF TRUSTEES AND EACH SCHOOL SHALL ADOPT A TRUANCY POLICY, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL ESTABLISH PROCEDURES TO ALLOW A STUDENT TO ENROLL IN ALTERNATIVE OR ADULT EDUCATION PROGRAMS TO PREVENT FURTHER TRUANCY, TO PROVIDE FOR THE DEVELOPMENT OF PARENT RESPONSIBILITY PROGRAMS TO ADDRESS NONATTENDANCE PROBLEMS; TO AMEND SECTION 59-65-20, RELATING TO PENALTIES FOR FAILURE TO ENROLL A CHILD IN SCHOOL, SO AS TO INCREASE THE FINE FROM NOT MORE THAN FIFTY DOLLARS TO NOT MORE THAN FIVE HUNDRED DOLLARS; TO AMEND SECTION 59-65-50, RELATING TO NON ATTENDANCE REPORTED TO THE COURT, SO AS TO PROVIDE THAT A SCHOOL DISTRICT SHALL NOTIFY STUDENTS AND PARENTS OR GUARDIANS OF STATE ATTENDANCE LAWS AND PENALTIES; TO PROVIDE THAT PARENTS MUST BE NOTIFIED OF CERTAIN ABSENCES AND SHALL WORK WITH THE DISTRICT TO FORMULATE AN INTERVENTION PLAN; TO PROVIDE FOR TRANSFER OF DOCUMENTS AND PLANS IF THE STUDENT TRANSFERS; AND TO PROVIDE FOR REFERRAL OF THE CASE TO THE SOLICITOR, UPON CERTAIN CONDITIONS, WHEN THE CHILD HAS TEN OR MORE UNLAWFUL ABSENCES; TO AMEND SECTION 59-65-60, RELATING TO THE COURT'S PROCEDURE UPON RECEIPT OF THE REPORT OF NONATTENDANCE, SO AS TO PROVIDE THAT FURTHER ACCUMULATION AFTER TEN UNLAWFUL ABSENCES MUST BE TOLLED UNTIL THE FAMILY COURT HEARING; TO PROVIDE THE TIMELINE AND PROCEDURE FOR REPORTING THE ABSENCES TO THE SOLICITOR, FILING THE COMPLAINT, SERVING THE COMPLAINT, AND HOLDING THE HEARING; TO PROVIDE FOR AN ATTENDANCE ORDER AND A REVISION OF THE INTERVENTION PLAN; TO PROVIDE THAT A PARENT OR GUARDIAN WHO FAILS TO COMPLY WITH THE ATTENDANCE ORDER IS GUILTY OF CONTEMPT WITH CERTAIN EXCEPTIONS AND TO PROVIDE PENALTIES; TO PROVIDE WHEN THE COURT MAY DECLARE A CHILD A TRUANT, ADJUDICATE A CHILD AS A STATUS OFFENDER, AND SUBJECT A CHILD TO APPROPRIATE PROVISIONS OF LAW; AND TO PROVIDE FOR OPTIONS WHEN A CHILD IS FOUND TO BE A HABITUAL TRUANT; BY ADDING SECTION 14-1-240 SO AS TO PROVIDE THAT THE CHIEF JUDGE FOR ADMINISTRATIVE PURPOSES IN EACH CIRCUIT SHALL SCHEDULE AT LEAST TWO DAYS A MONTH FOR A JUDGE IN A FAMILY COURT TO HEAR TRUANCY CASES; TO AMEND SECTION 56-1-176, AS AMENDED, RELATING TO CONDITIONS FOR ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE AND A SPECIAL RESTRICTED DRIVER'S LICENSE, SO AS TO PROVIDE THAT IF A STUDENT FAILS TO MEET THE EXPULSION REQUIREMENTS, THE SCHOOL DISTRICT SHALL NOTIFY THE DEPARTMENT OF MOTOR VEHICLES, WHO MAY SUSPEND THE STUDENT'S DRIVER'S LICENSE; TO AMEND SECTION 59-65-10, AS AMENDED, RELATING TO A PARENT'S RESPONSIBILITY TO CAUSE A CHILD TO ATTEND SCHOOL, SO AS TO INCREASE THE AGE UNTIL WHICH A CHILD SHALL ATTEND SCHOOL FROM SEVENTEEN TO EIGHTEEN; AND TO REPEAL SECTION 59-65-70 RELATING TO WHEN A COURT MAY DECLARE A CHILD DELINQUENT.

01/29/04 House Introduced and read first time HJ-34

01/29/04 House Referred to Committee on Education and Public Works HJ-36

04/22/04 House Committee report: Favorable with amendment Education and Public Works HJ-23

04/27/04 House Member(s) request name added as sponsor: Cotty

04/27/04 Scrivener's error corrected

04/28/04	House	Requests for debate-Rep(s). Walker, Rutherford, Scott, JE Smith, Townsend, Skelton, Cobb-Hunter, Altman, Emory, Freeman, Owens, Kirsh, Mack, Miller, Govan, Davenport, J Brown, Clyburn, Pinson, Weeks, and Hosey HJ-116
04/28/04	House	Debate adjourned HJ-145
05/19/04	House	Debate adjourned until Thursday, May 20,2004 HJ-278
05/25/04	House	Debate adjourned until Wednesday, May 26, 2004 HJ-106
05/26/04	House	Debate adjourned until Thursday, May 27, 2004 HJ-77
05/27/04	House	Debate adjourned until Tuesday, June 1, 2004
06/01/04	House	Debate adjourned until Wednesday, June 2, 2004 HJ-34