

## Session 115 - (2003-2004)

**H 5120 General Bill, By E.H. Pitts, Duncan, Barfield, Loftis, Clemmons, Hamilton, G.R. Smith and Taylor**

**Summary:** Teachers Bill-of-Rights

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ENACT THE "TEACHERS' BILL OF RIGHTS"; TO AMEND SECTION 59-63-210, RELATING TO THE GROUNDS FOR EXPULSION OR SUSPENSION, SO AS TO FURTHER PROVIDE FOR THEM; TO AMEND SECTION 59-63-230, RELATING TO NOTICES OF SUSPENSION AND CONFERENCES WITH PARENTS, SO AS TO FURTHER PROVIDE FOR NOTICES OF SUSPENSION AND CONFERENCES WITH PARENTS AND PROVIDE FOR THE PROCEDURE IF A PARENT FAILS TO ATTEND; TO AMEND SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO PROVIDE FOR THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM, A KNIFE, OR ANOTHER DANGEROUS INSTRUMENT, PROVIDE FOR WHEN A STUDENT MAY BE EXPELLED AFTER HE HAS BEEN SUSPENDED, ESTABLISH LIMITATIONS ON THE ADMISSION OF PREVIOUSLY EXPELLED STUDENTS, AND PROVIDE FOR REHABILITATION AND COUNSELING; BY ADDING SECTION 59-63-238 SO AS TO PROVIDE THAT SCHOOL OFFICIALS HAVE TOTAL DISCRETION IN IMPOSING CERTAIN DISCIPLINARY ACTIONS; BY ADDING SECTION 59-63-241 SO AS TO PROVIDE THAT A STUDENT MUST NOT BE DISCIPLINED FOR SELF DEFENSE EXCEPT WHEN HE IS THE AGGRESSOR; BY ADDING SECTION 59-63-242 SO AS TO PROVIDE THAT BEGINNING WITH THE 2009-2010 SCHOOL YEAR A SCHOOL ADMINISTRATOR SHALL RECUSE HIMSELF WHEN THE STUDENT BEING DISCIPLINED IS A MEMBER OF HIS IMMEDIATE FAMILY; BY ADDING SECTION 59-63-243 SO AS TO PROVIDE FOR THE DISCIPLINE OF STUDENTS AND PROVIDE THAT THE SCHOOL DISTRICT SHALL INDEMNIFY A TEACHER FOR SUITS BROUGHT REGARDING DISCIPLINARY ACTIONS; BY ADDING SECTION 59-63-247 SO AS TO PROVIDE FOR SEARCHES, PROVIDE THAT THE SCHOOL DISTRICT SHALL INDEMNIFY A TEACHER FOR SUITS BROUGHT REGARDING SEARCHES, AND PROVIDE FOR REPORTING OF IMPLEMENTS SEIZED; BY ADDING SECTION 59-63-249 SO AS TO PROVIDE THAT THE SCHOOL DISTRICT SHALL INDEMNIFY AN EMPLOYEE FOR SUITS BROUGHT REGARDING CERTAIN ACTIONS AND PROVIDE EXCEPTIONS FOR INDEMNIFICATION; BY ADDING SECTION 59-63-251 SO AS TO PROVIDE FOR THE SEARCH OF PERSONS ENTERING PUBLIC SCHOOLS AND PROVIDE FOR AN EMPLOYEE'S INDEMNIFICATION; BY ADDING SECTION 59-63-255 SO AS TO ESTABLISH A DISCIPLINE POLICY REVIEW COMMITTEE, ITS COMPOSITION, AND POWERS; BY ADDING SECTION 59-63-259 SO AS TO PROVIDE THAT ONLY AUTHORIZED VISITORS MAY ENTER A SCHOOL AND PROVIDE PENALTIES; BY ADDING SECTION 59-63-263 SO AS TO PROVIDE THAT ANY TEACHER, PRINCIPAL, OR ADMINISTRATOR IS NOT PERSONALLY LIABLE FOR ANY ACT OR FAILURE TO ACT IN DIRECTING OR DISCIPLINING SCHOOL CHILDREN AND PROVIDE EXCEPTIONS; BY ADDING SECTION 59-63-265 SO AS TO PROVIDE FOR THE ADOPTION OF A STUDENT CODE OF CONDUCT AND PROVIDE FOR IMMUNITY FOR REPORTING AN INCIDENT; BY ADDING SECTION 59-63-273 SO AS TO PROVIDE FOR ZERO TOLERANCE POLICIES FOR FIGHTING IN SCHOOLS; BY ADDING SECTION 59-63-277 SO AS TO PROVIDE FOR SCHOOL CRISIS MANAGEMENT AND RESPONSE PLANS; TO AMEND SECTION 59-17-135, RELATING TO CHARACTER EDUCATION, SO AS TO PROVIDE THAT EACH STUDENT SHALL EXHIBIT APPROPRIATE CONDUCT.

**04/14/04 House Introduced and read first time HJ-71**

**04/14/04 House Referred to Committee on Education and Public Works HJ-73**