COMMITTEE REPORT

February 22, 2012

**H. 3558**

Introduced by Reps. J.E. Smith and Govan

S. Printed 2/22/12--H.

Read the first time February 2, 2011.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3558) to amend the Code of Laws of South Carolina, 1976, by adding Section 25‑1‑2270 so as to require all state institutions of higher education to allow students, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, SECTION 1, page 1, line 28, by deleting / a state / and inserting / an /.

Amend the bill further, as and if amended, SECTION 1, page 1, line 28, by inserting after higher education / which receives state funding, either directly or indirectly, including but not limited to state scholarships or grants, /

Amend the bill further, as and if amended, SECTION 1, page 1, line 36, by deleting after each / state institution / and inserting / of these institutions /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

Minimal (Some additional costs expected but can be absorbed)

**EXPLANATION OF IMPACT:**

Based on the colleges’ and universities’ individual responses to the Commission on Higher Education (CHE) survey, insitutions would incur minimal costs to comply with the provisions, depending on the number of students impacted at one time. It is anticipated that all associated costs incurred would be absorbed within the existing budgets.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑2270 SO AS TO REQUIRE ALL STATE INSTITUTIONS OF HIGHER EDUCATION TO ALLOW STUDENTS TO COMPLETE ASSIGNMENTS OR TAKE MAKE‑UP EXAMINATIONS WHEN AN ABSENCE IS CAUSED BY ATTENDING OR PARTICIPATING IN MILITARY SERVICE, DUTY, TRAINING, OR DISASTER RELIEF EFFORTS.

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

SECTION 1. Article 17, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑2270. Upon notice from a student required to attend or participate in military service, duty, training, or disaster relief efforts, a state institution of higher education shall excuse the student from attending classes or engaging in other mandatory activities, including tests or examinations, in order for the student to fulfill his military obligations and associated military travel requirements. A student whose absence is excused pursuant to this section may not be penalized for his absence and must be allowed to complete all missed assignments or take missed tests or examinations within a reasonable time of his return from the military service, duty, training, or disaster relief efforts. Each state institution of higher education shall determine what constitutes a reasonable time to make up the assignments, tests, or examinations missed by reason of military service on a case by case basis, taking into account the individual student’s schedule and academic responsibilities. The provisions of this section must be liberally construed and shall apply in the same manner and without distinction to a student’s status as a member of the active component, reserve component, or National Guard.”

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

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