**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3104**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Stavrinakis and M.S. McLeod

Document Path: l:\council\bills\nbd\11004vr13.docx

Introduced in the House on January 8, 2013

Currently residing in the House Committee on **Education and Public Works**

Summary: State Board of Education

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Education and Public Works**

1/8/2013 House Introduced and read first time ([House Journal‑page 85](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Education and Public Works** ([House Journal‑page 85](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/10/2013 House Member(s) request name added as sponsor: M.S.McLeod

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3104_20121211.docx)

**A** **BILL**

TO AMEND SECTION 59‑5‑65, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP CURRICULA AND OTHER WRITTEN MATERIALS TO EDUCATE STUDENTS, SCHOOL PERSONNEL, AND PARENTS AND GUARDIANS ABOUT CHILD SEXUAL ABUSE; AND TO REQUIRE LOCAL SCHOOL DISTRICTS TO MAINTAIN A LIST OF SCHOOL AND COMMUNITY RESOURCES THAT PROVIDE SERVICES FOR CHILDREN WHO MAY BE VICTIMS OF SEXUAL ABUSE.

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

SECTION 1. Section 59‑5‑65 of the 1976 Code, as last amended by Act 49 of 2005, is further amended to read:

“Section 59-5-65. The State Board of Education shall have the power and responsibility to:

(1) Establish on or before August 15, 1985, regulations prescribing minimum standards of conduct and behavior that must be met by all pupils as a condition to the right of pupils to attend the public schools of the State. The rules shall take into account the necessity of proper conduct on the part of all pupils in order that the welfare of the greatest possible number of pupils shall be promoted notwithstanding that the rules may result in suspension or expulsion of pupils, provided, however, that disciplinary procedures shall be in compliance with Public Law 94‑142.

(2) Promulgate on or before August 15, 1985, regulations prescribing a uniform system of minimum enforcement by the various school districts of the rules of conduct and behavior.

(3) Promulgate rules prescribing scholastic standards of achievement. The rules shall take into account the necessity for scholastic progress in order that the welfare of the greatest possible number of pupils shall be promoted. School districts may impose additional standards of conduct and may impose additional penalties for the violation of such standards of behavior, provided, however, that disciplinary procedures shall be in compliance with Public Law 94‑142~~;~~.

(4) Establish on or before July 1, 1985, regulations prescribing a uniform system of enforcement by the various school districts of the state compulsory attendance laws and regulations promulgated pursuant to Section 59‑65‑90.

(5) Promulgate regulations to ensure that all secondary schools, with the exception of career and technology schools and secondary schools whose enrollment is entirely handicapped, offer a clearly defined college preparatory program as specified by the State Board of Education.

(6) Promulgate regulations to ensure that each school district in its secondary school or career and technology center shall establish clearly defined career and technology programs designed to provide meaningful employment.

(7) By January 1, 1986, establish criteria for promotion of students to the next higher grade.

In grades 1, 2, 3, 6, and 8, a student’s performance on the Basic Skills Test of reading shall constitute twenty‑five percent of the assessment of his achievement in reading and his performance on the Basic Skills Test of mathematics shall constitute twenty‑five percent of the assessment of his achievement in mathematics. The State Board of Education shall specify other measures of student performance in each of these subjects which shall constitute the remaining seventy‑five percent of the student’s assessment.

Any student who fails to meet the criteria established by the Board for promotion to the next higher grade must be retained in his current grade or assigned to a remedial program in the summer or in the next year. Students assigned to the remedial program must meet the minimum criteria established by the Board for his current grade at the conclusion of the remedial program to be promoted to the next higher grade. All handicapped students as defined by federal and state statutes and regulations are subject to the provisions of this section unless the student’s individual education plan (IEP) as required by Public Law 94‑142 defines alternative goals and promotion standards.

Nothing in this subitem shall prohibit the governing bodies of the school districts of this State from establishing higher standards for the promotion of students.

(8) Develop and implement regulations requiring all school districts to provide at least one‑half day early childhood development programs for four‑year‑old children who have predicted significant readiness deficiencies and whose parents voluntarily allow participation. The regulations must require intensive and special efforts to recruit children whose participation is difficult to obtain. The school districts may contract with appropriate groups and agencies to provide part or all of the programs. If a local advisory committee exists in a community to coordinate early childhood education and development, school districts shall consult with the committee in planning and developing services. The State Department of Education shall collect and analyze longitudinal data to determine the effects of child development programs on the later achievement of children by tracking four‑year‑old child development program participants through kindergarten and the first three years of elementary school to examine their performance on appropriate performance measures.

(9) ~~[Deleted]~~

~~(10)~~ Adopt guidelines whereby the secondary schools of this State shall emphasize teaching as a career opportunity.

~~(11)~~(10) Adopt policies and procedures for the local school districts to follow whereby:

(a) Regular conferences between parents and teachers are encouraged.

(b) Each school has active parent and teacher participation on the School Improvement Council and in parent‑teacher groups.

(c) Parenting classes and seminars are made readily available in every school district.

(11) Develop curricula and other written materials for the local school districts to use to raise awareness among students, school personnel, and parents and guardians about child sexual abuse including, but not limited to, the following:

(a) age‑appropriate curricula to educate students in prekindergarten through fifth grade about child sexual abuse, including actions to take to obtain assistance and intervention;

(b) curricula to educate teachers and other school personnel about indicators of child sexual abuse;

(c) curricula to train teachers how to educate students about child sexual abuse in accordance with this item; and

(d) educational information for parents and guardians, provided in a school handbook, about indicators of child sexual abuse and actions to take if a child may be a victim of sexual abuse. Local school districts shall include in the school handbook a list of school and community resources that provide assessment, treatment, and counseling services for children who may be victims of sexual abuse.

(12) Adopt policies and procedures to accomplish the following:

(a) Have school personnel encourage advice and suggestions from the business community.

(b) Have business organizations encourage their members to become involved in efforts to strengthen the public schools.

(c) Encourage all schools and businesses to participate in adopt‑a‑school programs.

(d) Encourage statewide businesses and their organizations to initiate a Public Education Foundation to fund exemplary and innovative projects which support improvement in the public schools.

(13) Adopt policies and procedures to accomplish the following:

(a) Expand school volunteer programs.

(b) Encourage civic and professional organizations to participate in local adopt‑a‑school programs.

(14) Work with the leadership network established pursuant to Section 59‑6‑16.

(15) Develop by regulation a model safe schools checklist to be used by school districts on a regular basis to assess their schools’ safety strengths and weaknesses. The checklist must include:

(a) the existence of a comprehensive safety plan;

(b) communication of discipline policies and procedures;

(c) intraagency and interagency emergency planning;

(d) recording of disruptive incidents;

(e) training of staff and students;

(f) assessment of buildings and grounds;

(g) procedures for handling visitors;

(h) assignment of personnel in emergencies;

(i) emergency communication and management procedures; and

(j) transportation rules and accident procedures.

(16) Consult with the Department of Agricultural Education of Clemson University at all steps in the development of any state plan prepared to satisfy any federal requirement related to the Carl Perkins Vocational and Applied Technology and Education Act or any successor federal law, including, but not limited to, the allocation or distribution of funds under this federal act.”

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

‑‑‑‑XX‑‑‑‑