**A** **BILL**

TO AMEND SECTION 59‑29‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTRUCTION ACCEPTED IN LIEU OF PHYSICAL EDUCATION INSTRUCTION REQUIRED IN PUBLIC SCHOOLS, SO AS TO INCLUDE MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS AND PARTICIPATION ON INTERSCHOLASTIC ATHLETICS TEAMS.

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

SECTION 1. Section 59‑29‑80(A) of the 1976 Code is amended to read:

“(A)(1) There ~~shall be~~ is established and provided in all the public schools of this State physical education, training and instruction of pupils of both sexes, and every pupil attending any school, in so far as he is physically fit and able to do so, shall take the course or courses provided by this section. Suitable modified courses ~~shall~~ must be provided for students physically or mentally unable or unfit to take the course or courses prescribed for normal pupils. ~~However, in any public school which offers a military or naval ROTC program sponsored by one of the military services of the United States, training in such a program may be deemed equivalent to physical education instruction, and may be accepted in lieu of such instruction for all purposes, academic or nonacademic, as may hereinafter be provided.~~ As alternatives to completing this standard physical education coursework, the following programs are acceptable equivalents, completion of which is acceptable in lieu of standard physical education instruction for all purposes, academic or nonacademic:

(a) a Junior Reserve Officer’s Training Corps (JROTC) program;

(b) instruction in marching band that is based on the South Carolina Academic Standards for the Visual and Performing Arts and which incorporates the South Carolina Academic Standards for Physical Education; and

(c) participation during a full sports season of an interscholastic athletics team, including a competitive cheerleading team, authorized by the High School League to participate in events sanctioned by the league, if this participation incorporates the South Carolina Academic Standards for Physical Education.

(2) A student who completes an acceptable equivalent to required physical education coursework pursuant to item (1) still must complete the requirements of Chapter 32 of this title, concerning health education.”

SECTION 2. This act takes effect upon approval by the Governor and is applicable beginning with the 2017‑2018 school year.

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