

Session 116 - (2005-2006)

H 3816 General Bill, By W.D. Smith and Clark

Summary: Parental Responsibilities Act of 2005

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA PARENTAL INVOLVEMENT AND RESPONSIBILITIES ACT OF 2005"; 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 FILE WITH THE MAGISTRATE A COMPLAINT AND MOTION TO COMPEL THE PRESENCE OF THE PARENT, TO PROVIDE PENALTIES, AND TO DEFINE CERTAIN TERMS; BY ADDING SECTION 59-28-240 SO AS TO PROVIDE THAT AN EMPLOYER IS ENCOURAGED TO GRANT AN EMPLOYEE LEAVE FROM WORK TO ATTEND, OBSERVE, OR PARTICIPATE IN SCHOOL CONFERENCES RELATED TO THE EMPLOYEE'S CHILDREN PURSUANT TO CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-28-250 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 SO THAT 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 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 THAT EACH SCHOOL DISTRICT BOARD OF TRUSTEES AND EACH SCHOOL SHALL ADOPT AN ATTENDANCE POLICY, TO PROVIDE THAT A SCHOOL DISTRICT SHALL IMPLEMENT IN EACH SCHOOL AN ATTENDANCE PLAN MODELED AFTER ITS POLICY, AND 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 NONATTENDANCE 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 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 CHRONIC TRUANT; BY ADDING SECTION 14-1-245 SO AS TO PROVIDE THAT THE CHIEF JUDGE FOR ADMINISTRATIVE PURPOSES IN EACH CIRCUIT SHALL SCHEDULE SUFFICIENT TIME 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; AND TO REPEAL SECTION 59-65-70 RELATING TO WHEN A COURT MAY DECLARE A CHILD DELINQUENT.

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04/20/05 House Member(s) request name added as sponsor: Clark