**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑18‑510 SO AS TO ENACT THE “SOUTH CAROLINA HIGH SCHOOL DROPOUT PREVENTION ACT OF 2009” SO AS TO PROVIDE THAT ANY HIGH SCHOOL STUDENT DURING A SCHOOL YEAR WHO HAS CUMULATIVELY FAILED TO PASS AT LEAST TWO UNITS OF INSTRUCTION REQUIRED FOR A HIGH SCHOOL DIPLOMA IN THE STUDENT’S PROGRAM OF STUDY OR WHO HAS SCORED IN THE TWENTY‑FIVE PERCENTILE OR LOWER ON APPLICABLE END‑OF‑YEAR ASSESSMENT TESTS MUST MEET WITH HIS HIGH SCHOOL GUIDANCE COUNSELOR AND HIS PARENTS OR LEGAL GUARDIAN BEFORE THE START OF THE NEXT SCHOOL YEAR TO REVIEW THE STUDENT’S INDIVIDUALIZED EDUCATION PLAN AND HIS ACADEMIC PROGRESS TO DETERMINE IF MODIFICATIONS IN THE PLAN OR CHANGES IN THE STUDENT’S PROGRAM OF STUDY ARE REQUIRED IN ORDER TO ALLOW THE STUDENT TO ACHIEVE GREATER EDUCATIONAL BENEFITS AND ALSO TO PREVENT THE STUDENT FROM DROPPING OUT OF SCHOOL; TO AMEND SECTION 59‑63‑230, RELATING TO NOTIFICATION TO PARENTS OR LEGAL GUARDIAN OF A PUPIL WHO HAS BEEN SUSPENDED FROM A CLASS OR SCHOOL AND CONFERENCES IN REGARD TO THE SUSPENSION WITH THE STUDENT’S PARENTS OR LEGAL GUARDIAN WHICH ARE AVAILABLE WITH SCHOOL ADMINISTRATORS, SO AS TO REQUIRE THE CONFERENCE TO BE HELD AND FURTHER PROVIDE FOR THE INFORMATION TO BE COVERED AT THE CONFERENCE; TO AMEND SECTION 59‑65‑10, RELATING TO THE RESPONSIBILITY OF PARENTS OR A LEGAL GUARDIAN TO CAUSE THEIR CHILD TO ATTEND SCHOOL DURING CERTAIN AGES, SO AS TO PROVIDE THAT A CHILD WHO HAS NOT ATTAINED THE AGE OF NINETEEN RATHER THAN SEVENTEEN AND WHO HAS NOT GRADUATED FROM HIGH SCHOOL IS REQUIRED TO ATTEND SCHOOL.

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

SECTION 1. This act is known and may be cited as the “South Carolina High School Dropout Prevention Act of 2009”.

SECTION 2. Article 5, Chapter 18, Title 59 of the 1976 Code is amended by adding:

“Section 59‑18‑510. In addition to the other requirements of law, any high school student during a school year who has cumulatively failed to pass at least two units of instruction required for a high school diploma in the student’s program of study as required by Section 59‑39‑100 or who has scored in the twenty‑five percentile or lower on applicable end‑of‑year assessment tests must meet with his high school guidance counselor and his parents or legal guardian before the start of the next school year to review the student’s individualized education plan and his academic progress to determine if modifications in the plan or changes in the student’s program of study are required in order to allow the student to achieve greater educational benefits and also to prevent the student from dropping out of school. If the student’s parents or guardian after request does not attend the meeting, the guidance counselor shall meet with the student alone and shall forward a written summary of the meeting together with any recommendations by mail to the parents or guardian.”

SECTION 3. Section 59‑63‑230 of the 1976 Code is amended to read:

“Section 59‑63‑230. When a pupil is suspended from a class or a school, the administrator shall notify, in writing, the parents or legal guardian of the pupil, giving the reason for ~~such~~ the suspension and setting a time and place ~~when the administrator shall be available~~ for a conference with the parents or guardian and requesting the parents or guardian to attend. The conference shall be set within three days of the date of the suspension. At the conference, the administrator also shall advise the parents or legal guardian of what measures are available to help the pupil keep up his academic work with the goal of preventing the pupil from later dropping out of school. After the conference the parents or legal guardian may appeal the suspension to the board of trustees or to its authorized agent.”

SECTION 4. Section 59‑65‑10 of the 1976 Code is amended to read:

“Section 59‑65‑10. (A) All parents or guardians shall cause their children or wards to attend regularly a public or private school or kindergarten of this State which has been approved by the State Board of Education or a member school of the South Carolina Independent Schools’ Association or some similar organization, or a parochial, denominational, or church‑related school, or other programs which have been approved by the State Board of Education from the school year in which the child or ward is five years of age before September first until the child or ward attains his ~~seventeenth~~ nineteenth birthday or graduates from high school. A parent or guardian whose child or ward is not six years of age on or before the first day of September of a particular school year may elect for their child or ward not to attend kindergarten. For this purpose, the parent or guardian shall sign a written document making the election with the governing body of the school district in which the parent or guardian resides. The form of this written document must be prescribed by regulation of the Department of Education. Upon the written election being executed, that child or ward may not be required to attend kindergarten.

(B) Each school district shall provide transportation to and from public school for all pupils enrolled in public kindergarten classes who request the transportation. Regulations of the State Board of Education governing the operation of school buses shall apply.”

SECTION 5. This act takes effect upon approval by the Governor.

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