COMMITTEE REPORT

February 9, 2012

**S. 1001**

Introduced by Senators L. Martin, Campsen and Rose

S. Printed 2/9/12--S.

Read the first time January 10, 2012.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 1001) to amend Chapter 17, Title 59 of the 1976 Code, relating to school districts, to provide for the Equal Access to Interscholastic Activities for Military Children Act, by adding, 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, page 1, by striking line 37 and inserting:

/ court order, or written military family care plan is entitled to participate in /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Department of Education indicates that enactment of this bill should have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, TO PROVIDE FOR THE EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES FOR MILITARY CHILDREN ACT, BY ADDING SECTION 59‑17‑160, TO PROVIDE THAT A CHILD OF A MEMBER OF THE ARMED FORCES ATTENDING SCHOOL IN A SCHOOL DISTRICT WHO LIVES WITH A RESIDENT OF THE DISTRICT OTHER THAN THE CHILD’S PARENT IS ENTITLED TO PARTICIPATE IN ALL INTERSCHOLASTIC ACTIVITIES OFFERED BY THE CHILD’S SCHOOL.

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

SECTION 1. This act may be cited as the “Equal Access to Interscholastic Activities for Military Children Act”.

SECTION 2. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59‑17‑160. (A) For purposes of this section ‘interscholastic activities’ includes, but is not limited to, athletics, music, speech, and other extracurricular activities.

(B) A child of a member of the armed forces who attends school in a school district who lives with a resident of the district other than a parent of the child pursuant to a power of attorney, court order, or military family care plan is entitled to participate in any interscholastic activity offered by the school regardless of whether the child ever resided in the district with a parent of the child.

(C) A school district may not contract with any entity that supervises interscholastic activities if the private entity would prohibit a child identified in subsection (B) from participating in the activity supervised by the entity.

(D) The provisions of this section must be construed as providing protections in addition to and not in conflict with and do not supersede any protections provided to an applicable child by the Interstate Compact on Education Opportunity for Military Children.”

SECTION 3. This act takes effect upon approval by the Governor.

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