**A** **BILL**

TO AMEND SECTION 59‑65‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED STANDARDS FOR HOME SCHOOLING PROGRAMS, SO AS TO DELETE THE BASIC SKILLS ASSESSMENT PROGRAM FROM THE STATEWIDE TESTING REQUIRED OF HOME SCHOOLED STUDENTS; TO AMEND SECTION 59‑65‑45, RELATING TO REQUIRED STANDARDS FOR HOME SCHOOLS OFFERING INSTRUCTION UNDER THE AUSPICES OF THE SOUTH CAROLINA ASSOCIATION OF INDEPENDENT HOME SCHOOLS, SO AS TO REQUIRE STUDENT PARTICIPATION IN CERTAIN STATEWIDE TESTING, TO PROVIDE THE TESTING MUST BE CONDUCTED BY A CERTIFIED SCHOOL DISTRICT EMPLOYEE EITHER WITH PUBLIC SCHOOL STUDENTS IN A PUBLIC SCHOOL OR OPTIONALLY AT THE HOME SCHOOL OF THE STUDENT, TO PROVIDE A PARENT WHO OPTS FOR A HOME SCHOOL STUDENT TO TAKE THE STATEWIDE TEST AT HOME MUST PAY FOR THE ADMINISTRATION OF THE TEST, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY MUST REPORT RESULTS OF THE MANDATORY ANNUAL REVIEW OF HOME SCHOOL ASSOCIATIONS TO THE GENERAL ASSEMBLY, AND TO PROVIDE A MANDATORY REPORT OF THE ASSOCIATION MUST INCLUDE THE NAME RATHER THAN THE NUMBER OF EACH HOME SCHOOLED STUDENT; AND TO AMEND SECTION 59‑65‑47, RELATING TO REQUIRED STANDARDS FOR OTHER HOME SCHOOL ASSOCIATION UNDER WHICH A HOME SCHOOL MAY OPERATE, SO AS TO REQUIRE STUDENT PARTICIPATION IN CERTAIN STATEWIDE TESTING, TO PROVIDE THE TESTING MUST BE CONDUCTED BY A CERTIFIED SCHOOL DISTRICT EMPLOYEE EITHER WITH PUBLIC SCHOOL STUDENTS IN A PUBLIC SCHOOL OR OPTIONALLY AT THE HOME SCHOOL OF THE STUDENT, TO PROVIDE A PARENT WHO OPTS FOR A HOME SCHOOL STUDENT TO TAKE THE STATEWIDE TEST AT HOME MUST PAY FOR THE ADMINISTRATION OF THE TEST, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY MUST REPORT RESULTS OF THE MANDATORY ANNUAL REVIEW OF THESE HOME SCHOOL ASSOCIATIONS TO THE GENERAL ASSEMBLY.

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

SECTION 1. Section 59‑65‑40(A)(6) of the 1976 Code is amended to read:

“(6) students must participate in the annual statewide testing program ~~and the Basic Skills Assessment Program~~ approved by the State Board of Education for their appropriate grade level. The tests must be administered by a certified school district employee either with public school students or by special arrangement at the student’s place of instruction, at the parent’s option. The parent is responsible for paying the test administrator if the test is administered at the student’s home; and”

SECTION 2. Section 59‑65‑45 of the 1976 Code is amended to read:

“Section 59‑65‑45. (A) In lieu of the requirements of Section 59‑65‑40, parents or guardians may teach their children at home if the instruction is conducted under the auspices of the South Carolina Association of Independent Home Schools. Bona fide membership and continuing compliance with the academic standards of South Carolina Association of Independent Home Schools exempts the home school from the further requirements of Section 59‑65‑40.

(B)(1) The State Department of Education annually shall conduct ~~annually~~ a review of the association standards to ~~insure~~ ensure that requirements of the association, at a minimum, include:

(a) a parent must hold at least a high school diploma or the equivalent general educational development (GED) certificate;

(b) the instructional year is at least one hundred eighty days; ~~and~~

(c) the curriculum includes, but is not limited to, the basic instructional areas of reading, writing, mathematics, science, and social studies, and in grades seven through twelve, composition and literature; and

(d) a student must participate in the annual statewide testing program approved by the State Board of Education for the appropriate grade level of the student. The test must be administered by a certified school district employee in the school district where the student being tested resides. The test may be administered to the student either along with public school students in a school in the district where the student resides or, at the option of the parent, in the home that is the student’s normal place of instruction. If the parent opts to have the student tested in the home that is the student’s normal place of instruction, the parent shall pay for the cost of the administration of the test.

(2) The State Department of Education annually shall report the results of the annual review required in this section to the General Assembly before March fifteenth.

(C) By January thirtieth of each year, the South Carolina Association of Independent Home Schools shall report the ~~number~~ name and grade level of children home schooled through the association to the children’s respective school districts to ensure compliance with the provisions of Section 59‑65‑10.”

SECTION 3. Section 59‑65‑47 of the 1976 Code is amended to read:

“Section 59‑65‑47. (A) In lieu of the requirements of Section 59‑65‑40 or Section 59‑65‑45, parents or guardians may teach their children at home if the instruction is conducted under the auspices of an association for home schools which has no fewer than fifty members and meets the requirements of this section. Bona fide membership and continuing compliance with the academic standards of the associations exempts the home school from the further requirements of Section 59‑65‑40 or Section 59‑65‑45.

(B)(1) The State Department of Education annually shall conduct ~~annually~~ a review of the association standards to ensure that requirements of the association, at a minimum, include:

(a) a parent must hold at least a high school diploma or the equivalent general educational development (GED) certificate;

(b) the instructional year is at least one hundred eighty days;

(c) the curriculum includes, but is not limited to, the basic instructional areas of reading, writing, mathematics, science, and social studies, and in grades seven through twelve, composition and literature; and

(d) educational records ~~shall~~ must be maintained by the parent‑teacher and include:

(~~1~~i) a plan book, diary, or other record indicating subjects taught and activities in which the student and parent‑teacher engage;

(~~2~~ii) a portfolio of samples of the student’s academic work; ~~and~~

(~~3~~iii) a semiannual progress report including attendance records and individualized documentation of the student’s academic progress in each of the basic instructional areas specified in ~~item~~ subitem (c) above; and

(e) a student must participate in the annual statewide testing program approved by the State Board of Education for the appropriate grade level of the student. The test must be administered by a certified school district employee in the school district where the student being tested resides. The test may be administered to the student either along with public school students in a school in the district where the student resides or, at the option of the parent, in the home that is the student’s normal place of instruction. If the parent opts to have the student tested in the home that is the student’s normal place of instruction, the parent shall pay for the cost of the administration of the test.

(2) The State Department of Education annually shall report the results of the annual review required in this section to the General Assembly before March fifteenth.

(C) By January thirtieth of each year, all associations shall report the ~~number~~ name and grade level of children home schooled through the association to the children’s respective school districts to ensure compliance with Section 59‑65‑10.

(D) This section is repealed effective July 1, 2014. Students homeschooled pursuant to the provisions of this section before its repeal and who wish to continue to be a student in a homeschooling program must be homeschooled in a program that satisfies the requirements of Section 59‑65‑40 or 59‑65‑45.”

SECTION 4. This act takes effect upon approval by the Governor.

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