**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4007**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McEachern

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Introduced in the House on April 16, 2015

Currently residing in the House Committee on **Education and Public Works**

Summary: Sibling Transfer Rule Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/16/2015 House Introduced and read first time ([House Journal‑page 24](file:///h:\HJ%20Archive\2015\04-16-15.docx))

4/16/2015 House Referred to Committee on **Education and Public Works** ([House Journal‑page 24](file:///h:\HJ%20Archive\2015\04-16-15.docx))

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**VERSIONS OF THIS BILL**

[4/16/2015](file:///p:\pprever\2015-16\4007_20150416.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SIBLING TRANSFER RULE ACT” BY ADDING SECTION 59‑63‑427 SO AS TO PROVIDE CONDITIONS IN WHICH A SCHOOL DISTRICT MAY BE REQUIRED TO PERMIT A STUDENT TO TRANSFER TO ANOTHER SCHOOL DISTRICT WHEN HE IS A SIBLING OF A STUDENT WHO ATTENDS ANOTHER SCHOOL OR WHEN THE SCHOOL ATTENDANCE ZONE OF THE STUDENT’S PARENT OR GUARDIAN CHANGES AS THE RESULT OF A REORDERING OF SCHOOL ATTENDANCE ZONES, AND TO PROVIDE THAT THIS ACT DOES NOT MANDATE CERTAIN TRANSPORTATION OBLIGATIONS ON ANY SCHOOL DISTRICT.

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

SECTION 1. This act must be known and may be cited as the “Sibling Transfer Rule Act”.

SECTION 2. Article 5, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59‑63‑427. (A) Notwithstanding another provision of law, a school district automatically shall permit the sibling of a student who attends, has attended, or will attend a particular school within eight years of the student’s enrollment in the school to transfer to that school, or if the parents or guardians of the children have resided in the same house for more than five years.

(B) When a student is selected to participate in a choice program and consequently transfers or is expected to transfer to another school, any sibling of the selected student also may transfer to that school regardless of whether he also participates in the choice program. A parent must provide written notification of this transfer within sixty days of the beginning of the school year. The approval of a school district is unnecessary to effectuate a transfer pursuant to this section, and a district may not deny a sibling enrollment in the school attended or previously attended by the selected student within eight years of the selected student’s enrollment at that school.

(C) In the event of a reordering of attendance zones, a child’s parent or guardian who owned property in a district before the reordering may elect to send his child either to the school for which they were previously zoned or the school for which they reside as a result of the reordering. The approval of a school district is unnecessary to effectuate a transfer pursuant to this section, and a district may not deny the sibling entry to the school attended or previously attended by the student.

(D) No provision of this section may be construed to mandate that the school district will provide transportation for the student if his parent or guardian elects to keep him enrolled in the school for which he was previously zoned or that an older sibling attended. The responsibility for transportation will rest solely with the parent.”

SECTION 3. This act takes effect upon approval of the Governor and applies beginning with the 2016‑2017 school year.

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