**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑29‑85 SO AS TO REQUIRE ANNUAL INSTRUCTION IN SWIMMING AND WATER SAFETY FOR STUDENTS IN GRADES FIVE THROUGH TWELVE, TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION, TO PROVIDE RELATED GOALS, TO PROVIDE ALTERNATE STUDIES FOR SCHOOLS LACKING ACCESS TO A POOL WITHIN TEN MILES OF THE SCHOOL, AND TO PROVIDE FOR STUDENT WAIVERS FROM THE SWIMMING LESSONS COMPONENT OF THIS INSTRUCTION IN LIMITED CIRCUMSTANCES.

Whereas, water recreation provides a major source of enjoyment and exercise in South Carolina due to the state’s temperate climate and abundance of beaches, lakes, rivers, other natural and manmade bodies of water, as well as public and private swimming pools; and

Whereas, responsible enjoyment of these water recreational opportunities requires a genuine appreciation for the inherent associated dangers such as drowning, which is a leading cause of unintentional injury and death among all age groups of children, with African‑American children having drowning rates that are forty‑five percent higher than other children; and

Whereas, providing children with instruction in water safety, water safety rescue techniques, and water survival skills is essential to reducing these tragic downing deaths, and our public school health education requirements should include such training so as to reach as many children as possible. Now, therefore,

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

SECTION 1. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59‑29‑85. (A) Beginning with the 2016‑2017 school year, students in grades five through twelve annually must receive instruction in swimming and water safety. Before September 1, 2017, the State Board of Education, through the State Department of Education, shall select or develop and adopt instruction in swimming and water safety for use in grades five through twelve. The goal of the swimming instruction is for each student to achieve proficiency in swimming. The goal of the water safety instruction is for each student to achieve proficiency in understanding the principles of water safety. The overarching goal of this section is to reduce drowning deaths by preparing students to have the skills and behavior needed for survival in bodies of water.

(B) A school site without a pool or without access to a pool within ten miles of the school site at least must provide students with instruction in water safety, water safety rescue techniques, and water survival skills, including dry‑land strokes, kick practice, and buoyancy principles. A person providing water safety instruction under this section must possess a current certificate from the American Red Cross aquatic instructor training program or the YMCA of the United States training program, or be equivalently qualified as the department considers appropriate. In addition, this instructor must possess a certificate in standard first aid and cardiopulmonary resuscitation approved by the department.

(C) A student may be exempted from the swimming lessons requirements of this section by seeking a waiver from the local school board of trustees. The local board may grant such a request if the student presents a statement by his attending physician indicating that participation in swimming lessons will jeopardize the student’s health and well‑being. A student may not be exempted from the water safety instruction requirements of this section.”

SECTION 2. This act takes effect upon approval by the Governor.

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