~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 15, 2018

**S. 302**

Introduced by Senators Sheheen and Bennett

S. Printed 3/15/18--S.

Read the first time January 24, 2017.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 302) to amend Section 59‑29‑80(a) of the 1976 code, relating to physical education instruction in public schools, to provide that marching band instruction based on, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

HARVEY S. PEELER, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Local Expenditure & Revenue**

This bill adds marching band instruction to the list of activities which may be accepted in lieu of physical education instruction by school districts, provided the marching band instruction meets certain criteria. The State Department of Education indicated that this bill would not increase school district expenditures. This is an activity that will be conducted in the normal course of school district business. As a result, this bill does not have an expenditure or revenue impact on school districts.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 59‑29‑80(A) OF THE 1976 CODE, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

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

SECTION 1. Section 59‑29‑80(A) of the 1976 Code is amended to read:

“Section 59-29-80. (A) There ~~shall be~~ is established and provided in all the public schools of this State physical education, training, and instruction of pupils of both sexes~~, and every~~. Every pupil attending ~~any~~ public school, in so far as he is physically fit and able to do so, shall take the course or courses provided by this section. Suitable modified courses ~~shall~~ must be provided for students physically or mentally unable or unfit to take the course or courses prescribed for normal pupils. However, in ~~any~~ public school ~~which~~ that offers a military or naval ROTC program sponsored by one of the military services of the United States, training in such a program may be ~~deemed~~ considered to be the equivalent ~~to~~ of physical education instruction~~,~~ and may be accepted in lieu of such instruction for all purposes, academic or nonacademic, as may hereinafter be provided. Additionally, in a public school that offers instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts and that incorporates the South Carolina Academic Standards for Physical Education, this instruction may be considered to be the equivalent of physical education instruction and may be accepted in lieu of physical education instruction for all purposes.”

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

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