**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑65‑480 SO AS TO PROVIDE SCHOOL DISTRICTS SHALL SOLICIT WRITTEN PARENTAL CONSENT TO PROVIDE SUCH INFORMATION TO THE SOUTH CAROLINA NATIONAL GUARD YOUTH CHALLENGE ACADEMY FOR THE LIMITED PURPOSE OF ENABLING THE ACADEMY TO INFORM THE STUDENTS OF ITS PROGRAMS, TO PROVIDE DISTRICTS ONLY MAY PROVIDE SUCH INFORMATION UPON RECEIPT OF PARENTAL CONSENT, TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH INFORMATION WITHIN A CERTAIN TIMEFRAME FOLLOWING RECEIPT OF PARENTAL CONSENT, TO PROVIDE PARENTS MAY REVOKE THEIR CONSENT, AND TO PROVIDE MEANS FOR REDRESSING NONCOMPLIANCE BY SCHOOL DISTRICTS; AND TO AMEND SECTION 59‑65‑470, RELATING TO THE AUTHORITY OF THE WIL LOU GRAY OPPORTUNITY SCHOOL TO OBTAIN FROM SCHOOL DISTRICTS THE CONTACT INFORMATION OF STUDENTS WHO HAVE LEFT OR INTEND TO LEAVE SCHOOL BEFORE GRADUATION, SO AS TO PROVIDE SCHOOL DISTRICTS SHALL SOLICIT WRITTEN PARENTAL CONSENT TO PROVIDE SUCH INFORMATION TO THE SCHOOL FOR THE LIMITED PURPOSE OF ENABLING IT TO INFORM THE STUDENTS OF ITS ACADEMIC AND VOCATIONAL TRAINING PROGRAMS, TO PROVIDE DISTRICTS ONLY MAY PROVIDE SUCH INFORMATION UPON RECEIPT OF PARENTAL CONSENT, TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH INFORMATION WITHIN A CERTAIN TIMEFRAME FOLLOWING RECEIPT OF PARENTAL CONSENT, TO PROVIDE PARENTS MAY REVOKE THEIR CONSENT, AND TO PROVIDE MEANS FOR REDRESSING NONCOMPLIANCE BY SCHOOL DISTRICTS.

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

SECTION 1. Article 5, Chapter 65, Title 59 of the 1976 Code is amended by adding:

“Section 59‑65‑480. (A) Each public school district shall solicit written consent from the parents of the following categories of students to provide the names and addresses of those students to the South Carolina Youth Challenge Academy administered by the South Carolina National Guard (Youth Challenge Academy) for use as provided in this section:

(1) people formerly enrolled as students in the district who, after the effective date of this section, have left school before graduation, excluding former students who have died or transferred to another school; and

(2) students currently enrolled in the district who have formally initiated the process of leaving school before graduation, unless the student is transferring to another school.

(B)(1) In soliciting written parental consent as required in subsection (A), a school district shall notify the parents in writing that:

(a) the Youth Challenge Academy is seeking to obtain the student’s name and address so the academy may provide information about its program to the student;

(b) the written consent of the parent is required before the student’s name and address may be provided to the academy; and

(c) the parent may revoke such written consent at any time by providing written notice to the academy or to the district to which the consent was given.

(2) A district shall solicit written parental consent required in this section by means of written correspondence mailed to the student’s address of record. Such correspondence must be mailed to the parents of:

(a) former students, as described in subsection (A)(1), within thirty business days after the student leaves the school; and

(b) currently enrolled students who have formally initiated the process of leaving school before graduation within thirty business days after the formal initiation of this process.

(C) Upon receipt of such written consent, a district shall provide the name and address of the student to the Youth Challenge Academy within fifteen business days. A public school district may not provide the name or address of a student who has left or is leaving a school before graduation without first obtaining the express written consent of the parent or guardian of the student. A parent or guardian who has granted such consent may revoke the consent by providing written notice to the Youth Challenge Academy or to the district to which the consent was given, and this revocation is effective upon receipt.

(D) The Youth Challenge Academy only may use student names and addresses received pursuant to this section for the limited purpose of providing those students information about its programs.

(E) The State Department of Education shall review any allegations by the Youth Challenge Academy that a public school district has failed to comply with the provisions of this section and notify the State Board of Education of its findings.

(F) A school or district that fails to comply with the provisions of this section may be subject to a loss of state funding at the discretion of the State Board of Education.”

SECTION 2. Section 59‑65‑470 of the 1976 Code is amended to read:

“Section 59‑65‑470. ~~To enable the Wil Lou Gray Opportunity School to inform dropouts of the school’s academic and vocational training programs, the school is authorized to contact the attendance supervisors or principals at the various high schools or school districts of this State at reasonable intervals for the purpose of receiving access to the names and addresses of students reported by the supervisors and principals to be dropouts, and the attendance supervisors and principals must supply this information to the Wil Lou Gray Opportunity School~~ (A) Each public school district shall solicit written consent from the parents of the following categories of students to provide the names and addresses of those students to the Wil Lou Gray Opportunity School for use as provided in this section:

(1) people formerly enrolled as students in the district who, after the effective date of this section, have left school before graduation, excluding former students who have died or transferred to another school; and

(2) students currently enrolled in the district who have formally initiated the process of leaving school before graduation, unless the student is transferring to another school.

(B)(1) In soliciting written parental consent as required in subsection (A), a school district shall notify the parents in writing that:

(a) the Wil Lou Gray Opportunity School is seeking to obtain the student’s name and address so the school may provide information about its academic and vocational training to the student;

(b) the written consent of the parent is required before the student’s name and address may be provided to the school; and

(c) the parent may revoke such written consent at any time by providing written notice to the school or to the district to which the consent was given.

(2) A district shall solicit written parental consent required in this section by means of written correspondence mailed to the student’s address of record. Such correspondence must be mailed to the parents of:

(a) former students, as described in subsection (A)(1), within thirty business days after the student leaves the school; and

(b) currently enrolled students who have formally initiated the process of leaving school before graduation within thirty business days after the formal initiation of this process.

(C) Upon receipt of such written consent, a district shall provide the name and address of the student to the Wil Lou Gray Opportunity School within fifteen business days. A public school district may not provide the name or address of a student who has left or is leaving a school before graduation without first obtaining the express written consent of the parent or guardian of the student. A parent or guardian who has granted such consent may revoke the consent by providing written notice to the Wil Lou Gray Opportunity School or to the district to which the consent was given, and this revocation is effective upon receipt.

(D) The Wil Lou Gray Opportunity School only may use the student names and addresses received pursuant to this section for the limited purpose of providing those students information about academic and vocational training programs offered by the Wil Lou Gray Opportunity School.

(E) The State Department of Education shall review any allegations by the Wil Lou Gray School that a public school district has failed to comply with the provisions of this section and notify the State Board of Education of its findings.

(F) A school or district that fails to comply with the provisions of this section may be subject to a loss of state funding at the discretion of the State Board of Education.”

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

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