**South Carolina General Assembly**

126th Session, 2025-2026

**S. 416**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree and Alexander

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Introduced in the Senate on March 4, 2025

Introduced in the House on April 30, 2025

Last Amended on April 16, 2025

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

Summary: School Expulsion

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/4/2025 Senate Introduced and read first time (Senate Journal‑page 10)

 3/4/2025 Senate Referred to Committee on **Education** (Senate Journal‑page 10)

 4/10/2025 Senate Committee report: Favorable with amendment **Education** (Senate Journal‑page 15)

 4/16/2025 Senate Committee Amendment Adopted (Senate Journal‑page 34)

 4/24/2025 Senate Read second time (Senate Journal‑page 19)

 4/24/2025 Senate Roll call Ayes-39 Nays-0 (Senate Journal‑page 19)

 4/29/2025 Senate Read third time and sent to House (Senate Journal‑page 21)

 4/30/2025 House Introduced and read first time

 4/30/2025 House Referred to Committee on **Education and Public Works**

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**VERSIONS OF THIS BILL**

[03/04/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/416_20250304.docx)

[04/10/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/416_20250410.docx)

[04/16/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/416_20250416.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

April 16, 2025

S. 416

Introduced by Senators Hembree and Alexander

S. Printed 4/16/25--S.

Read the first time March 4, 2025

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59‑63‑210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59‑63‑235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQURE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59‑63‑250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

 Amend Title To Conform

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

SECTION 1. Section 59‑63‑210 of the S.C. Code is amended to read:

 Section 59‑63‑210. (A) Any district board of trustees may authorize or order the expulsion, suspension, or transfer of any pupil for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and promulgated regulations established by the district board, county board, or the State Board of Education, or when the presence of the pupil is detrimental to the best interest of the school. Each expelled pupil has the right to petition for readmission for the succeeding school year.

 (1) Expulsion or suspension must be construed to prohibit a pupil from entering the school or school grounds including, but not limited to, attending any day or night school functions or riding a school bus. An expelled student may only enter school or school grounds for a prearranged conference with an administrator. This prohibition shall continue for the duration of the expulsion period.

 (2) Suspension must be construed to prohibit a pupil from entering the school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. This prohibition shall continue for the duration of the suspension period.

 (B) The provisions of this section do not preclude enrollment and attendance in any adult or night schoolalternate education program to include adult education or virtual programming.

 (B) A district board of trustees shall not authorize or order the expulsion, suspension, or transfer of any pupil for a violation of Section 59‑150‑250(B).

SECTION 2. Section 59‑63‑235 of the S.C. Code is amended to read:

 Section 59‑63‑235. (A)The district board must expel for no less than one year a student who is determined to have brought a firearm to a school or any setting under the jurisdiction of a local board of trustees. A student who is determined to have knowingly brought a firearm to a school or any setting under the jurisdiction of a local board of trustees must be expelled for no less than one year from the date of the incident. The expulsion hearing must follow the procedures established pursuant to Section 59‑63‑240. The one‑year expulsion is subject to modification by the district superintendent of education on a case‑by‑case basis.

 (B) If the hearing is conducted by the district board of trustees, the one‑year expulsion period is subject to modification by the board on a case‑by‑case basis.

 (C) If the hearing is conducted by any authority other than the district board of trustees, the one-year expulsion period is subject to modification by the district superintendent of education. The board must receive and review a copy of the results of the expulsion hearing and affirm any modification recommendations by the district superintendent of education. If the board does not affirm a modification recommendation of the district superintendent, the expulsion period established in this section shall be reinstated. A student shall retain all rights afforded to him by Section 59-63-240.

 (D) Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting to include virtual programming. Each local board of trustees is to establish a policy which requires the student to be referred to the local county office of the Department of Juvenile Justice or its representative.

SECTION 3. Chapter 63, Title 59 of the S.C. Code is amended by adding:

 Section 59-63-237. (A) The district board of trustees must expel for no more than one academic year a student who is determined to have knowingly and willfully delivered or conveyed a threat to commit bodily harm by means of a weapon against students or employees of a school by means of any letter or paper, writing, document, electronic communication, or other type of communication that is intended to reach another person. The expulsion period is subject to modification on a case-by-case basis as determined by the district board of trustees or district superintendent of education.

 (B) In order for a student to be expelled under this section, the board or any authority the board designates to conduct an expulsion hearing, must find, at a minimum:

 (1) the threat was directed at specific students, staff, or school;

 (2) an ordinary person reviewing the threat would have a reasonable expectation of a violent act resulting in bodily harm;

 (3) the student making the threat could be reasonably expected to have the capacity to carry out the threat; and

 (4) the threat resulted in a material and substantial disruption to school operations including, but not limited to, the cancellation of classes or families declining to send students to school in response to the threat or a lock-down of the school and students.

 (C) The expulsion hearing must follow the procedures established pursuant to Section 59-63-240. Students expelled pursuant to this section must be afforded access to educational services through an alternative or virtual setting. Each local board of trustees is to establish a policy which requires the student to be referred to the local county office of the Department of Juvenile Justice or its representative.

SECTION 4. Section 59‑63‑250 of the S.C. Code is amended to read:

 Section 59‑63‑250. The board or a designated administrator may transfer a pupil to another school within the school district in lieu of suspension or expulsion but only after a conference or hearing with the parents or legal guardian and notification to and input from the principal at the receiving school. The parents or legal guardian may request a conference in lieu of the hearing provided under this section. The parents or legal guardian may appeal a transfer made by an administrator to the board.

SECTION 5. This act takes effect upon approval by the Governor.

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