

South Carolina General Assembly
120th Session, 2013-2014

H. 3478

STATUS INFORMATION

General Bill

Sponsors: Reps. Brannon, Anthony and Horne

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Introduced in the House on February 5, 2013

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

Summary: Standards for home schooling programs

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
2/5/2013	House	Introduced and read first time (House Journal-page 6)
2/5/2013	House	Referred to Committee on Education and Public Works (House Journal-page 6)
2/7/2013	House	Member(s) request name removed as sponsor: Jefferson

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VERSIONS OF THIS BILL

[2/5/2013](#)

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A BILL

11 TO AMEND SECTION 59-65-40, CODE OF LAWS OF SOUTH
12 CAROLINA, 1976, RELATING TO REQUIRED STANDARDS
13 FOR HOME SCHOOLING PROGRAMS, SO AS TO DELETE
14 THE BASIC SKILLS ASSESSMENT PROGRAM FROM THE
15 STATEWIDE TESTING REQUIRED OF HOME SCHOOLED
16 STUDENTS; TO AMEND SECTION 59-65-45, RELATING TO
17 REQUIRED STANDARDS FOR HOME SCHOOLS OFFERING
18 INSTRUCTION UNDER THE AUSPICES OF THE SOUTH
19 CAROLINA ASSOCIATION OF INDEPENDENT HOME
20 SCHOOLS, SO AS TO REQUIRE STUDENT PARTICIPATION
21 IN CERTAIN STATEWIDE TESTING, TO PROVIDE THE
22 TESTING MUST BE CONDUCTED BY A CERTIFIED
23 SCHOOL DISTRICT EMPLOYEE EITHER WITH PUBLIC
24 SCHOOL STUDENTS IN A PUBLIC SCHOOL OR
25 OPTIONALLY AT THE HOME SCHOOL OF THE STUDENT,
26 TO PROVIDE A PARENT WHO OPTS FOR A HOME
27 SCHOOL STUDENT TO TAKE THE STATEWIDE TEST AT
28 HOME MUST PAY FOR THE ADMINISTRATION OF THE
29 TEST, TO PROVIDE THE STATE DEPARTMENT OF
30 EDUCATION ANNUALLY MUST REPORT RESULTS OF
31 THE MANDATORY ANNUAL REVIEW OF HOME SCHOOL
32 ASSOCIATIONS TO THE GENERAL ASSEMBLY, AND TO
33 PROVIDE A MANDATORY REPORT OF THE ASSOCIATION
34 MUST INCLUDE THE NAME RATHER THAN THE NUMBER
35 OF EACH HOME SCHOOLED STUDENT; AND TO AMEND
36 SECTION 59-65-47, RELATING TO REQUIRED STANDARDS
37 FOR OTHER HOME SCHOOL ASSOCIATION UNDER
38 WHICH A HOME SCHOOL MAY OPERATE, SO AS TO
39 REQUIRE STUDENT PARTICIPATION IN CERTAIN
40 STATEWIDE TESTING, TO PROVIDE THE TESTING MUST
41 BE CONDUCTED BY A CERTIFIED SCHOOL DISTRICT
42 EMPLOYEE EITHER WITH PUBLIC SCHOOL STUDENTS IN

1 A PUBLIC SCHOOL OR OPTIONALLY AT THE HOME
2 SCHOOL OF THE STUDENT, TO PROVIDE A PARENT WHO
3 OPTS FOR A HOME SCHOOL STUDENT TO TAKE THE
4 STATEWIDE TEST AT HOME MUST PAY FOR THE
5 ADMINISTRATION OF THE TEST, TO PROVIDE THE
6 STATE DEPARTMENT OF EDUCATION ANNUALLY MUST
7 REPORT RESULTS OF THE MANDATORY ANNUAL
8 REVIEW OF THESE HOME SCHOOL ASSOCIATIONS TO
9 THE GENERAL ASSEMBLY.

10

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

13

14 SECTION 1. Section 59-65-40(A)(6) of the 1976 Code is
15 amended to read:

16

17 “(6) students must participate in the annual statewide testing
18 program ~~and the Basic Skills Assessment Program~~ approved by the
19 State Board of Education for their appropriate grade level. The
20 tests must be administered by a certified school district employee
21 either with public school students or by special arrangement at the
22 student’s place of instruction, at the parent’s option. The parent is
23 responsible for paying the test administrator if the test is
24 administered at the student’s home; and”

25

26 SECTION 2. Section 59-65-45 of the 1976 Code is amended to
27 read:

28

29 “Section 59-65-45. (A) In lieu of the requirements of Section
30 59-65-40, parents or guardians may teach their children at home if
31 the instruction is conducted under the auspices of the South
32 Carolina Association of Independent Home Schools. Bona fide
33 membership and continuing compliance with the academic
34 standards of South Carolina Association of Independent Home
35 Schools exempts the home school from the further requirements of
36 Section 59-65-40.

37 (B)(1) The State Department of Education annually shall
38 conduct ~~annually~~ a review of the association standards to ~~insure~~
39 ensure that requirements of the association, at a minimum, include:

40 (a) a parent must hold at least a high school diploma or
41 the equivalent general educational development (GED) certificate;

42 (b) the instructional year is at least one hundred eighty
43 days; ~~and~~

1 (c) the curriculum includes, but is not limited to, the basic
2 instructional areas of reading, writing, mathematics, science, and
3 social studies, and in grades seven through twelve, composition
4 and literature; and

5 (d) a student must participate in the annual statewide
6 testing program approved by the State Board of Education for the
7 appropriate grade level of the student. The test must be
8 administered by a certified school district employee in the school
9 district where the student being tested resides. The test may be
10 administered to the student either along with public school students
11 in a school in the district where the student resides or, at the option
12 of the parent, in the home that is the student's normal place of
13 instruction. If the parent opts to have the student tested in the home
14 that is the student's normal place of instruction, the parent shall
15 pay for the cost of the administration of the test.

16 (2) The State Department of Education annually shall report
17 the results of the annual review required in this section to the
18 General Assembly before March fifteenth.

19 (C) By January thirtieth of each year, the South Carolina
20 Association of Independent Home Schools shall report the ~~number~~
21 name and grade level of children home schooled through the
22 association to the children's respective school districts to ensure
23 compliance with the provisions of Section 59-65-10."

24
25 SECTION 3. Section 59-65-47 of the 1976 Code is amended to
26 read:

27
28 "Section 59-65-47. (A) In lieu of the requirements of Section
29 59-65-40 or Section 59-65-45, parents or guardians may teach their
30 children at home if the instruction is conducted under the auspices
31 of an association for home schools which has no fewer than fifty
32 members and meets the requirements of this section. Bona fide
33 membership and continuing compliance with the academic
34 standards of the associations exempts the home school from the
35 further requirements of Section 59-65-40 or Section 59-65-45.

36 (B)(1) The State Department of Education annually shall
37 conduct ~~annually~~ a review of the association standards to ensure
38 that requirements of the association, at a minimum, include:

39 (a) a parent must hold at least a high school diploma or
40 the equivalent general educational development (GED) certificate;

41 (b) the instructional year is at least one hundred eighty
42 days;

1 (c) the curriculum includes, but is not limited to, the basic
2 instructional areas of reading, writing, mathematics, science, and
3 social studies, and in grades seven through twelve, composition
4 and literature; and

5 (d) educational records ~~shall~~ must be maintained by the
6 parent-teacher and include:

7 (1i) a plan book, diary, or other record indicating
8 subjects taught and activities in which the student and
9 parent-teacher engage;

10 (2ii) a portfolio of samples of the student's academic
11 work; ~~and~~

12 (3iii) a semiannual progress report including attendance
13 records and individualized documentation of the student's
14 academic progress in each of the basic instructional areas specified
15 in ~~item~~ subitem (c) above; and

16 (e) a student must participate in the annual statewide
17 testing program approved by the State Board of Education for the
18 appropriate grade level of the student. The test must be
19 administered by a certified school district employee in the school
20 district where the student being tested resides. The test may be
21 administered to the student either along with public school students
22 in a school in the district where the student resides or, at the option
23 of the parent, in the home that is the student's normal place of
24 instruction. If the parent opts to have the student tested in the home
25 that is the student's normal place of instruction, the parent shall
26 pay for the cost of the administration of the test.

27 (2) The State Department of Education annually shall report
28 the results of the annual review required in this section to the
29 General Assembly before March fifteenth.

30 (C) By January thirtieth of each year, all associations shall
31 report the ~~number~~ name and grade level of children home schooled
32 through the association to the children's respective school districts
33 to ensure compliance with Section 59-65-10.

34 (D) This section is repealed effective July 1, 2014. Students
35 homeschooled pursuant to the provisions of this section before its
36 repeal and who wish to continue to be a student in a
37 homeschooling program must be homeschooled in a program that
38 satisfies the requirements of Section 59-65-40 or 59-65-45."

39
40 SECTION 4. This act takes effect upon approval by the Governor.

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