**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3857**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Crawford, Lowe, Daning, Scott, Simrill, Millwood, Parker, Allison, Forrester, Kelly, Limehouse, Owens and Sottile

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Introduced in the House on April 1, 2009

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

Summary: Psychological screenings

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/1/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\04-01-09.docx)‑102

4/1/2009 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2009\04-01-09.docx)‑102

**VERSIONS OF THIS BILL**

[4/1/2009](file:///p:\pprever\2009-10\3857_20090401.docx)

**A** **BILL**

TO AMEND SECTION 59‑63‑90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE OF AVAILABLE HEALTH‑RELATED SERVICES AND RIGHTS, SO AS TO PROVIDE THAT NOTICE OF RIGHTS PERTAINING TO PSYCHOLOGICAL SCREENINGS MUST BE SENT BY A SCHOOL DISTRICT TO PARENTS AT THE BEGINNING OF THE SCHOOL YEAR, AND TO PROVIDE THAT A PARENT OR GUARDIAN IS NOT REQUIRED TO TAKE ANY MEDICAL ACTION AND THAT PSYCHOLOGICAL SCREENING OF A STUDENT MAY NOT BE REQUIRED IN THE ABSENCE OF A SIGNED, WRITTEN CONSENT BY A STUDENT’S PARENT OR GUARDIAN.

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

SECTION 1. Section 59‑63‑90 of the 1976 Code, as last amended by Act 81 of 2005, is further amended to read:

“Section 59‑63‑90. (A) The State Department of Education shall develop a notice to be sent by each school district to ~~all~~ parents or legal guardians that notifies them of their rights pertaining to psychological screenings, available services, and rights pursuant to Section 504 of the Rehabilitation Act of 1973, the IDEA, and medical homebound regulations at the beginning of the school year.

(B) School and district personnel may not require any specific medical action by the parent or guardian of a student. Psychological screening of a student may not be required in the absence of a signed, written consent by a student’s parent or guardian.”

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

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