~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 12, 2016

**S. 1204**

Introduced by Senator Sheheen

S. Printed 5/12/16--S.

Read the first time April 6, 2016.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 1204) to amend Section 59‑29‑80, Code of Laws of South Carolina, 1976, relating to physical education instruction in public schools, so as to provide marching band, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

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

“(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 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 which 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.

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**A** **BILL**

TO AMEND SECTION 59‑29‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, SO AS TO PROVIDE 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:

“(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 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, this instruction must be considered to be the equivalent of physical education instruction, and must 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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