**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4049**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chumley, Burns, Williams, Yow, Henegan, Mitchell, Toole, Brannon, Jefferson, Robinson‑Simpson, Duckworth, Hardee, Hiott, Hardwick, Ott, H.A. Crawford, Gambrell, Hill, Willis, Parks, Neal, Allison, Bedingfield, Delleney, Dillard, Forrester, Gagnon, Long, D.C. Moss, Pitts, Pope, Riley, Loftis and Hicks

Document Path: l:\council\bills\agm\18630ab15.docx

Companion/Similar bill(s): 4050

Introduced in the House on April 23, 2015

Currently residing in the House Committee on **Judiciary**

Summary: Academic freedom

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/23/2015 House Introduced and read first time ([House Journal‑page 128](file:///h:\HJ%20Archive\2015\04-23-15.docx))

4/23/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 128](file:///h:\HJ%20Archive\2015\04-23-15.docx))

4/28/2015 House Member(s) request name added as sponsor: Loftis

5/7/2015 House Member(s) request name added as sponsor: Hicks

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**VERSIONS OF THIS BILL**

[4/23/2015](file:///p:\pprever\2015-16\4049_20150423.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑444 SO AS TO PROMOTE ACADEMIC FREEDOM FOR PUBLIC SCHOOL TEACHERS BY PROVIDING PUBLIC SCHOOL TEACHERS MAY CONDUCT OR PARTICIPATE IN ANY STUDENT‑LED PRAYER, STUDENT‑ORGANIZED PRAYER GROUPS, RELIGIOUS CLUBS, AND OTHER SIMILAR ACTIVITIES.

Whereas, the South Carolina General Assembly finds that the concept of academic freedom is derived from the guarantee of free speech under the [First Amendment](http://en.wikipedia.org/wiki/First_Amendment_to_the_United_States_Constitution) to the United States Constitution, which also permits the free exercise of religious beliefs, among other things; and

Whereas, the South Carolina General Assembly finds that academic freedom by teachers is important to the mission of schools as well as the principles of [academia](http://en.wikipedia.org/wiki/Academia), and that teachers should have freedom to teach or communicate ideas or facts, including those that are inconvenient to external political groups or to authorities, without being targeted for repression, job loss, or imprisonment, and that this right to expression includes the right to express or exercise a religious belief. Now, therefore,

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

SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended to read:

“Section 59‑1‑444. A teacher employed by a public school district may express a religious viewpoint, and also may conduct or participate in any student‑led prayer or student‑organized prayer groups, religious clubs, or other religious gatherings organized by students of a public school pursuant to Section 59‑1‑435, Section 59‑1‑441, or Section 59‑1‑442, or another provision of law.”

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

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