~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

May 8, 2018

**S. 302**

Introduced by Senators Sheheen and Bennett

S. Printed 5/8/18--H.

Read the first time April 3, 2018.

**A** **BILL**

TO AMEND SECTION 59‑29‑80(A) OF THE 1976 CODE, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT 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.

Amend Title To Conform

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:

“Section 59‑29‑80. (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~~. 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~~ must be ~~deemed~~ considered to be the equivalent ~~to~~ of physical education instruction~~,~~ and ~~may~~ must be accepted in lieu of such instruction for all purposes, academic or nonacademic, as may hereinafter be provided. Additionally, a public school that offers instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts must submit a plan to the department documenting that all South Carolina Academic Standards for Physical Education are met. Upon approval of the plan by the department, this instruction may be considered to be the equivalent of physical education instruction. The provisions of Title 59, Chapter 32 must continue to be met.”

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

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