

Parental Bill of Rights H4555

Highlights of the Bill

Link to the bill - <https://www.parentalrightssouthcarolina.com/parentalrightsbill>

To amend the code of laws of south carolina, 1976, to enact the "parental bill of rights" by adding chapter 23 to title 63 so as to provide necessary findings and definitions, to prohibit certain government infringement on the fundamental rights of parents to direct the upbringing, education, health care, and mental health care of their children except in limited circumstances, to reserve all parental rights to the parents of children in this state and to provide a nonexhaustive list of such rights, to provide related requirements concerning public education institutions and health care providers, to provide penalties for violations, and to make these provisions applicable notwithstanding contrary provisions in declared states of emergency; and to amend section [63-5-340](#), relating to the age of consent for minors to certain health care services, so as to increase the age of consent to eighteen.

- Parents have a fundamental right to direct the upbringing, education, and care of their children.
- To establish a consistent mechanism for parents to be notified of information relating to the health and well-being of their children.
- The State, political subdivisions of the State, public school districts, other governmental entities, and other institutions may not infringe on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health care of his child without demonstrating that the action is: reasonable and necessary to achieve a compelling state interest; and narrowly tailored; and not otherwise served by a less restrictive means.
- All parental rights are reserved to the parent of a child in this State without obstruction or interference from the State, political subdivisions of the State, public school districts, other governmental entities, or other institutions, including:
 - the right to direct the education and care of his child;
 - the right to direct the upbringing and the moral or religious training of his child;
 - the right to access and review all school records relating to his child;
 - the right to make health care decisions for his child, unless otherwise prohibited by court order or State law;
 - the right to consent in writing before any record of his child's blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by general law or authorized pursuant to a court order.

- An employee of the State, a political subdivision of the State, a public school district, or another governmental entity who encourages or coerces, or attempts to encourage or coerce, a child to withhold information from his parent may be subject to disciplinary action.
- A parent of a child in this State has inalienable rights that are more comprehensive than those listed in this chapter unless the rights have been legally waived or terminated.
- Each district school board shall, in consultation with parents, teachers, and administrators, develop and adopt a policy to promote parental involvement in the public school system.
- The right to opt his child out of any portion of the school district's comprehensive health education required that relates to sex education instruction in acquired immune deficiency syndrome education or any instruction regarding sexuality.
- Health care provider may not provide or solicit or arrange to provide health care services or prescribe medicinal drugs or biologics to a child without first obtaining written parental consent.
- Increase the age of consent from sixteen to eighteen.