

Legislators advance bill giving SC parents more control over their teens' decisions

7 K H E L O O D G Y D Q F H G W R

complaints aren't resolved through a written complaint and appeal process

By: Skylar Laird

COLUMBIA — A bill giving South Carolina parents more say-so over their children's education and medical decisions until they turn 18 advanced Tuesday to the House floor.

The bill "affirms and protects the fundamental rights of parents" by increasing the age when teens can start bypassing their supervision, Rep. Heath Sessions, who leads the panel that first voted on the proposal, said in explanation.

Existing state law sets 16 as the age when teenagers can make decisions about their health care, unless it involves a non-life-saving surgery.

The 14-3 vote by the full House medical affairs committee included two "yes" votes from Democrats. No Republican voted against it.

"You've heard the phrase that it takes a village, and it really does. It does take a village," said Sessions, a Rock Hill Republican. "But parents are in the village, right?"

The bill, dubbed the Parental Rights Act, includes a list of rights for parents and legal guardians. They range from the general rights of "directing the upbringing" and "moral or religious training" of their children to the specific ability to review "all health and medical records" and consent to "all physical and mental" health care decisions.

However, the bill sets up potential contradictions in state law on teen's choices.

For example, it doesn't touch the state's compulsory attendance law, which makes parents responsible for keeping their children in school until their 17th birthday — the legal

drop-out age. And it doesn't seek to amend the state's abortion statute, which says 17-year-olds don't need a parent's or grandparent's permission. (Abortions are banned for all ages, with limited exceptions, past the sixth week of pregnancy.)

The bill applies to "unemancipated" children under 18, which means they're not married and a court hasn't freed them from parental control. State law lets 16- and 17-year-olds get married with a parent's permission.

Medical care Under the bill, doctors and other health care professionals could provide emergency care without parents' consent if waiting puts the child at risk of death or "irreparable physical injury." Paramedics could also help at the scene of an accident without trying to reach a parent.

Opponents testifying against the bill included a second-year medical student at the University of South Carolina.

Teens may want or need non-emergency care they don't want to tell their parents about, Alex Fossum said. For instance, 16- and 17-year-olds may want birth control but not want to tell a parent they're having sex, Fossum told legislators during a Jan. 20 meeting.

Existing state law allows teens under 18 to get birth control pills over the counter, but only if they already had a prescription. Emergency contraception, also known by the brand name Plan B, is available in South Carolina over the counter without a prescription for anyone 17 and older.

But Fossum said when she worked for a gynecologist, she met many teenagers with questions about sexu-

ally transmitted infections and pregnancy who resisted testing or birth control for fear their parents would find out. The bill would ensure fewer teens seek that care, Fossum said.

"A 16-year-old can drive a car and have a job. A 17-year-old can graduate high school, go to college, enter the workforce and be persecuted as an adult," Fossum said. "Teenagers are people, too, and they deserve a right to safety and privacy."

But Sessions said it's the parent's responsibility to have those difficult conversations. He's had those same conversations with his own 16-year-old daughter, he added.

"Don't you think that including the parents is necessary and vital to guide that child?" Sessions said.

Not all parents have their child's best interests at heart, Rep. Courtney Waters said Tuesday. A victim of abuse might be less likely to seek help, the North Charleston Democrat said.

Sessions noted the bill specifies that parents do not have the right to abuse or neglect a child. But Waters countered that's so vague, it could cause a doctor to hesitate in providing care.

Education The bill directs school districts to come up with policies to ensure parents' control over their child's education.

If parents don't approve of their child's extracurricular activities, they could withdraw their child from those groups. Parents could keep their child from lessons or presentations conflicting with their beliefs "regarding sex, morality or religion."

Schools would need to provide at



GOP Rep. Sylleste Davis of Moncks Corner, chairwoman of the House medical affairs committee, V S H D N V Z L W K S H S - R U G D Q among committee members voting Tuesday, Feb. 3, 2026, to advance legislation on parental rights to W K H + R X V H A R R U) L O H S K

least five days' notice and get parents' permission for their child to participate in lessons geared toward "studying, exploring, or informing students about gender roles or stereotypes, gender identity, gender expression, or sexual orientation."

If their written complaints aren't resolved through local school officials or an appeal to the State Board of Education, parents can sue for \$5,000 per violation. A judge must throw out any lawsuit filed before the com-

plaint process is fully completed. The school wouldn't be liable if a teacher or other employee acts on their own against district policy and without their supervisor's knowledge.

Among the records made readily available to parents would be any evaluations done by the school guidance counselor.

That raised concerns for Waters, a former public school teacher. For many students, the guidance counselor is the only adult they can talk to about sensitive topics, such as questions about their gender or sexuality, she said.

"We are most likely closing up avenues for them to actually have conversations that might save their lives," Waters said, pointing to higher rates of mental health issues and suicidal thoughts among LGBTQ youth than their peers.

State law already requires guidance counselors and other school staff to notify students' parents when children ask to change their pronouns or say they're a different gender.

Either way, parents want to know if their child is having those conversations so they can discuss that with their child, said Rep. Jordan Pace, another former teacher who leads the ultra-conservative Freedom Caucus.

"I think it is very important to keep this in the bill so that parents can know these conversations that are happening," the Goose Creek Republican said.

The bill also sets up a complaint process for parents if they believe a school or teacher is keeping information from them.



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