**A** **BILL**

TO AMEND SECTION 59‑53‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO APPROVE OR DISAPPROVE CERTAIN POST‑SECONDARY VOCATIONAL, TECHNICAL, AND OCCUPATIONAL DIPLOMA AND ASSOCIATE DEGREE PROGRAMS, SO AS TO GIVE EXCLUSIVE AUTHORITY OVER THE APPROVAL OR DISAPPROVAL OF THESE PROGRAMS TO THE BOARD AND TO EXPAND ITS JURISDICTION TO INCLUDE CERTAIN CERTIFICATES AND CERTAIN APPLIED SCIENCE PROGRAMS; TO AMEND SECTION 59‑103‑15, AS AMENDED, RELATING TO HIGHER EDUCATION GOALS AND MISSIONS, AND SECTION 59‑103‑35, RELATING TO THE REQUIREMENTS THAT A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT UNDERTAKE A NEW PROGRAM WITHOUT APPROVAL OF THE COMMISSION ON HIGHER EDUCATION, BOTH SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 59‑101‑150 RELATING TO THE REQUIREMENT THAT A STATE‑SUPPORTED INSTITUTION OF HIGHER LEARNING MUST RECEIVE APPROVAL OF THE COMMISSION OR THE GENERAL ASSEMBLY AS A CONDITION TO UNDERTAKING A NEW PROGRAM.

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

SECTION 1. Section 59‑53‑20 of the 1976 Code is amended to read:

“Section 59‑53‑20. The State Board for Technical and Comprehensive Education shall have within its jurisdiction, in accordance with the provisions of this article, all state‑supported technical institutions and their programs that are presently operating and any created in the future~~.~~

~~The State Board for Technical and Comprehensive Education shall have~~, including the exclusive approval or disapproval authority over all post‑secondary vocational, technical, and occupational diploma, certificate, and associate in applied science degree programs financed in whole or in part by the State that lead directly to employment. These programs are designed to meet a student’s occupational and career goals. Excepted are programs presently being offered by other state‑supported institutions of higher learning which shall continue their present programs under the direction of their respective institutions. The Board shall continue major emphasis on the special schools program, which provides training for prospective employees for new and expanding industry, these programs to be closely coordinated with the state’s economic development efforts.

The State Board of Education shall continue jurisdiction over currently operating licensed practical nurse (LPN) programs and twelve‑month vocational agriculture programs which include adult training in agriculture in the public schools and these programs are subject to the requirements of Sections 59‑54‑40, 59‑54‑50, and 59‑54‑60.

All courses, programs, and institutions within the jurisdiction of the State Board for Technical and Comprehensive Education must be identified and administered as the South Carolina Technical Education System.

The State Board for Technical and Comprehensive Education shall have the responsibility for developing and maintaining short and long‑range plans for providing up‑to‑date and appropriate occupational and technical training for adults and shall coordinate its planning activities with the Economic Development Coordinating Council, the State Council on Vocational‑Technical Education, the Commission on Higher Education, the State Department of Education, the Department of Employment and Workforce, and other state agencies, institutions, and departments.

All personnel employed in the institutions and programs within the jurisdiction and control of the State Board for Technical and Comprehensive Education are designated state employees whether paid in whole or in part by state funds and are subject to the regulations, guidelines, and policies of the State Board for Technical and Comprehensive Education, the Budget and Control Board, and the state personnel system. There may be no local supplements to any salaries. The State Board for Technical and Comprehensive Education shall establish salary ranges for unclassified institutional employees based upon minimum standard systemwide qualification criteria. Area commissions will fill all positions with qualified personnel.”

SECTION 2. Section 59‑103‑15(B)(4) of the 1976 Code is amended to read:

“(4) State technical and comprehensive education system

(a) all post‑secondary vocational, technical, and occupational diploma, certificate, and associate in applied science degree programs leading directly to employment or maintenance of employment and associate degree programs which enable students to gain access to other post‑secondary education;

(b) up‑to‑date and appropriate occupational and technical training for adults;

(c) special school programs that provide training for prospective employees for prospective and existing industry in order to enhance the economic development of South Carolina;

(d) public service to the State and the local community;

(e) continue to remain technical, vocational, or occupational colleges with a mission as stated in ~~item (4)~~ this item and primarily focused on technical education and the economic development needs of the State and to provide access to other post‑secondary education.”

SECTION 3. Section 59‑103‑35 of the 1976 Code is amended to read:

“Section 59‑103‑35. All public institutions of higher learning shall submit annual budget requests to the commission in the manner set forth in this section. The State Board for Technical and Comprehensive Education shall submit an annual budget request to the commission representing the total requests of all area‑wide technical and comprehensive educational institutions. The budget submitted by each institution and the State Board for Technical and Comprehensive Education must include all state funds, federal grants, tuition, and fees other than funds derived wholly from athletic or other student contests, from the activities of student organizations, from approved private practice plans, and from the operation of canteens and bookstores which may be retained by the institutions and be used as determined by the respective governing boards, subject to annual audit by the State. Fees established by the respective governing boards for programs, activities, and projects not covered by appropriations or other revenues may be retained and used by each institution as previously determined by the respective governing boards, subject to annual audit by the State. The budget request for the public higher education system shall be submitted by the commission to the Governor and appropriate standing committees of the General Assembly in conjunction with the preparation of the annual general appropriations act for the applicable year.

Supplemental appropriations requests from any public institution of higher education must be submitted first to the commission. If the commission does not concur in the requests, the affected institution may request a hearing on the requests before the appropriate committee of the General Assembly. The commission may appear at the hearing and present its own recommendations and findings to the same committee. The provisions of this paragraph do not apply to any capital improvement projects funded in whole or in part prior to July 30, 1996.

No new program may be undertaken by any public institution of higher education without the approval of the commission. The provisions of this chapter apply to all college parallel~~,~~ and transferable~~, and associate~~ degree programs of technical and comprehensive education institutions. All other programs and offerings of technical and comprehensive education institutions are excluded from this chapter to include the associate degree in applied science.”

SECTION 4. Section 59‑101‑150 of the 1976 Code is repealed.

SECTION 5. This act takes effect upon approval by the Governor.

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