**A** **BILL**

TO AMEND SECTION 59‑43‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWER OF A SCHOOL DISTRICT BOARD CONCERNING THE FUNDING AND PROVISION OF ADULT EDUCATION, SO AS TO PROVIDE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION RATHER THAN THE STATE BOARD OF EDUCATION DETERMINES APPROPRIATE SUBJECTS FOR ADULT EDUCATION; TO AMEND SECTION 59‑43‑20, RELATING TO THE POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO ADULT EDUCATION, SO AS TO TRANSFER THOSE POWERS TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND 59‑53‑30, RELATING TO THE POWER OF THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO AUTHORIZE A SCHOOL WITHIN ITS JURISDICTION TO CONTRACT WITH A LOCAL SCHOOL DISTRICT TO PROVIDE ADULT LITERACY EDUCATION, SO AS TO DELETE THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION APPROVE SUCH AN AUTHORIZATION; AND TO AMEND SECTION 59‑53‑50, RELATING TO POWERS AND DUTIES OF THE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, SO AS TO INCLUDE ADULT EDUCATION AMONG THOSE POWERS AND DUTIES.

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

SECTION 1. Section 59‑43‑10 of the 1976 Code is amended to read:

“Section 59‑43‑10. ~~Any~~ A district board of trustees may raise and allocate funds for adult education, ~~utilize~~ use buildings, equipment and other school facilities of the district for ~~such~~ this purpose, and hire teachers, establish and maintain classes for adults in ~~such~~ subjects ~~as the State Board of Education may determine~~ determined by the State Board for Technical and Comprehensive Education. Adult education classes ~~shall~~ must be subject to ~~the~~ rules and regulations of the State Board ~~of Education~~ for Technical and Comprehensive Education.”

SECTION 2. Section 59‑43‑20 of the 1976 Code is amended to read:

“Section 59‑43‑20. (A)(1) The appropriations, functions, powers, duties, responsibilities, and authority statutorily exercised by the Department of Education concerning adult education is transferred to the State Board for Technical and Comprehensive Education.

(2) The State Board ~~of Education~~ for Technical and Comprehensive Education may:

(~~1~~a) make and enforce regulations for the organization, conduct, and supervision of adult basic and adult secondary (GED and high school diploma) education;

(~~2~~b) determine the qualifications of teachers and issue teaching certificates for teaching adult basic and adult secondary (GED and high school diploma) education classes;

(~~3~~c) determine the tuition ~~which may be~~ required ~~of persons attending~~ to attend adult basic and adult secondary (GED and high school diploma) education classes; and

(~~4~~d) determine the subjects ~~which may be~~ taught in adult basic and adult secondary (GED and high school diploma) education classes.

(B) The State Board ~~of Education is also~~ for Technical and Comprehensive Education also is responsible for the administration, coordination, and management of adult basic and adult secondary (GED and high school diploma) education for the purpose of facilitating and coordinating adult basic and adult secondary (GED and high school diploma) education programs for South Carolina adults whose level of educational attainment is below high school, as prescribed by state and federal laws and regulations. The State Board ~~of Education~~ for Technical and Comprehensive Education and the local school districts are responsible for effective coordination and ~~utilization~~ use of literacy councils, the technical education system, the educational television network, nonprofit groups, business and industry representatives, and other state and local agencies and private ~~persons~~ people interested in adult basic and adult secondary (GED and high school diploma) education programs to deliver programs to the ~~state’s~~ undereducated adult population of the State.

(C) ~~Any funds~~ Funds distributed by the State Board ~~of Education~~ for Technical and Comprehensive Education for local literacy councils or programs must be made available to those councils or programs either in kind or in money.”

SECTION 3. Section 59‑53‑30 of the 1976 Code is amended to read:

“Section 59‑53‑30. (A) Institutions of the South Carolina Technical Education System shall maintain open admissions policies unless determined to be economically unfeasible by the Budget and Control Board and establish and maintain low tuition and fees in order to provide access to post‑secondary education and insure that such educational opportunities shall not be denied to anyone.

(B) Upon request and justification and with the approval of the State Board of Education, the Board may authorize an institution within its jurisdiction to contract with local school districts to offer ~~adult literacy courses and programs and~~ secondary‑level vocational courses and programs.

(C) The Board may authorize an institution within its jurisdiction to contract with local school districts to offer adult literacy courses and programs.

(D) Upon request and justification and with the approval of the Commission on Higher Education, the Board may authorize an institution within its jurisdiction to offer two‑year college parallel programs. The Commission on Higher Education ~~shall~~ must approve all criteria for college parallel courses.”

SECTION 4. Section 59‑53‑50 of the 1976 Code is amended to read:

“Section 59‑53‑50. The Board ~~shall~~ must:

(1) be responsible for the state‑level development, implementation, coordination, and operation of an adequate and high quality post‑high school vocational, technical, and occupational diploma and associate degree courses, programs, and adult short‑term training programs and courses financed in whole or in part by state funds; such courses and programs to be characterized by a continuing strong emphasis on the employment needs of the State, the communities, and people of South Carolina;

(2) establish criteria for and approve the awarding of certificates, diplomas, and associate (but not baccalaureate) degrees to students who successfully complete authorized and prescribed courses and programs of study and training;

(3) participate in the various programs of federal aid to public, post‑secondary, two‑year institutions, and to the students therein;

(4) accept and administer donations of funds, grants, real property, or equipment from individuals, corporations, foundations, and governmental bodies;

(5) establish a minimum and maximum tuition fee with the approval of the area commissions. Any fees charged above or below this established fee schedule shall require the approval of the Board and the appropriate area commissions;

(6) require accountability for and maintain inventory records over all donated equipment, all real property, and equipment in the South Carolina Technical Education System which is purchased by or for the institutions and programs regardless of source of funds. All inventory records shall identify sources of funds and ownership of all items;

(7) establish criteria for the justification of a new facility or the modification of existing facilities. No new facilities or modification of existing facilities shall occur without the approval of the area commission and the Board, and the location of any such new facility or modification of an existing facility in a particular county is subject to the approval of a majority of the members of the area commission from that county;

(8) employ an executive director and such other personnel as may be necessary for the Board to fulfill its duties and responsibilities;

(9) file reports on its activities annually, with such recommendations as may be appropriate, to the Governor and General Assembly;

(10) continue the special schools training program for new and expanding industry and business, closely coordinated with the state’s economic development efforts;

(11) accept and administer federal funds provided to the State through the Job Training Partnership Act or succeeding programs;

(12) in accordance with memoranda of agreement with the South Carolina State Board of Education, beginning with the ~~1986‑87~~ 1986‑1987 school year, accept and administer federal funds allocated to the State and required to be used for adult vocational training and retraining;

(13) assure leadership in education and training among state agencies in aiding businesses and industries faced with the curtailment or the reduction of their work force and assist displaced employees and welfare recipients in assessing their educational needs and providing education and training to meet those needs; and

(14) be responsible for adult education in this State as provided in this chapter and Chapter 4.”

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

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