**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑43‑40 SO AS TO CREATE THE “SOUTH CAROLINA ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY CERTIFICATION CHARTER SCHOOL PILOT PROGRAM”; AND TO AMEND SECTION 59‑63‑20, RELATING TO THE AGE OF ATTENDANCE IN PUBLIC SCHOOLS, SO AS TO ALLOW ADULTS TO ATTEND PUBLIC SCHOOLS IN THE PILOT PROGRAM AND TO ELIMINATE WAIVERS OF THE STARTING AGES FOR KINDERGARTEN AND FIRST GRADE.

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

SECTION 1. Chapter 43, Title 59 of the 1976 Code is amended by adding:

“Section 59‑43‑40. (A) The ‘South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program’ is created. The South Carolina charter school district shall allow up to three charters for each year of this five‑year pilot program.

(B) For the purposes of this section:

(1) ‘Adult high school’ means a charter school, as defined in Section 59‑40‑10, et seq., which has a majority or all of its students enrolled with the school who:

(a) belong to a graduation cohort that has already graduated from high school; and

(b) are over the age of eighteen years of age at the time the student was first enrolled in the school.

(2) ‘Adult education program’ means services and instruction provided below the college level for adults by a nonprofit entity.

(3) ‘Adult’ means a person who is at least eighteen years of age.

(C) Notwithstanding another provision of law, a charter under the pilot program may be granted on the basis of a properly submitted charter application, as defined in Section 59‑40‑60, to provide an adult education program for not more than two hundred fifty adults to successfully complete:

(1) a high school program that can lead to a diploma; and

(2) career and technology education courses that can lead to industry certification.

(D) A charter established for an adult high school under this section must require:

(1) that the school will offer flexible scheduling;

(2) that students will not complete the majority of instruction of the school’s curriculum online or through distance instruction;

(3) that the school will offer dual credit or industry certification coursework that aligns with career pathways;

(4) a plan to support successful program completion and to assist transition of graduates to the workforce or to a postsecondary education upon receiving a diploma from the adult high school; and

(5) a plan to review and report individual student accomplishments and success after a student receives a diploma from the adult high school.

(E) An adult who is at least eighteen years of age is eligible to enroll in the adult education program under this section if the adult has not earned a high school equivalency certificate and has failed to complete the curriculum requirements for high school graduation.

(F) A nonprofit entity may be granted a charter under this section only if the entity has a successful model of providing educational services, including industry certifications and job placement services, to adults whose educational and training opportunities have been limited by educational disadvantages, disabilities, homelessness, criminal history, or similar circumstances.

(G) A nonprofit entity granted a charter under this section may partner with a public two‑year college or technical college to provide career and technology courses that lead to industry certification.”

SECTION 2. Section 59‑63‑20 of the 1976 Code is amended to read:

“Section 59‑63‑20. It is not lawful for any person who is less than five or more than twenty‑one years of age to attend any of the public schools of this State, including kindergarten, except that:

(1) persons over twenty‑one years of age may attend night schools;

(2) when a pupil is in the graduating class and becomes twenty‑one years of age before graduation, he is permitted to complete the term if otherwise qualified to do so;

(3) students may enter kindergarten in the public schools of this State if they will attain the age of five on or before September first of the applicable school year or have substantially initiated a public school kindergarten program in another state that has a different attendance age requirement from South Carolina;

(4) students may not enter the first grade in the public schools of this State unless they will attain the age of six on or before September first of the applicable school year or have substantially initiated a first grade program in another state that has a different attendance age requirement from South Carolina or have attended a public school kindergarten program for one full school year;

(5) ~~the restrictions in this section may be waived by the local board of school trustees in any proper case. However, if~~ If the provisions of items (3) and (4) of this section are not complied with, the school district is not entitled to receive any state aid for any students who fail to meet these requirements;

(6) four‑year‑olds may attend optional child development programs and all three‑year‑old, four‑year‑old, and five‑year‑old children with disabilities in accordance with their individual education program, may participate in any public education preschool program, including optional child development programs. Children with disabilities served in four‑year‑old optional child development programs may be counted for funding under both funding sources; and

(7) persons over eighteen years of age may attend adult education programs established under Section 59‑43‑40, the South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program.”

SECTION 3. This act takes effect upon approval by the Governor.

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