CHAPTER 54

South Carolina Employment Revitalization Act

**SECTION 59‑54‑10.** Short title; meaning of “unserved or underserved persons or clients”.

(A) This chapter is known and may be cited as the South Carolina Employment Revitalization Act of 1986.

(B) As used in this chapter or Chapter 53, Title 59 of the 1976 Code, the term “unserved or underserved persons or clients” means persons who have not previously been primary beneficiaries of vocational education, adult basic and adult secondary education, and technical education programs and specifically including recipients of public assistance payments through the Aid to Families with Dependent Children (AFDC) program, and at‑risk youth.

HISTORY: 1986 Act No. 394, Section 1.

**SECTION 59‑54‑20.** State Occupational Training Advisory Committee; duties and recommendations.

(A) The State Council on Vocational and Technical Education membership shall comply with all requirements of Section 112 of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990. In addition, a majority of the council membership appointed by the Governor must be members of the Commission on Higher Education, provided that members of the commission meet the federal requirements of the establishment of the council. Further, at least four members of the council shall represent secondary career and technology education.

(B) The Commission on Higher Education shall serve as the State Occupational Training Advisory Committee and in this regard shall make recommendations to the State Board of Education, the State Board for Technical and Comprehensive Education, the Governor’s Office, and the public for:

(1) improving the coordination among the state’s plans and programs for adult career and technology education, adult basic and adult secondary education, post‑secondary technical education, and secondary career and technology education;

(2) assuring the compatibility of these educational plans and programs with the state’s economic development strategies;

(3) improving the articulation between secondary career and technology education and post‑secondary technical education and between post‑secondary technical education and four‑year degree programs;

(4) improving service to groups or communities in the State which are unserved or underserved and need additional training and education to be employed or to move into the work force and off of public assistance;

(5) improving the accountability systems and effectiveness of the adult career and technology education, adult basic and adult secondary education, post‑secondary technical education, and secondary career and technology education programs;

(6) improving the implementation of the South Carolina Employment Revitalization Act of 1986.

HISTORY: 1986 Act No. 394, Section 5; 1993 Act No. 164, Part II, Section 82A; 2005 Act No. 49, Section 12, eff May 3, 2005.

Effect of Amendment

The 2005 amendment, in subsections (A), (B)(1),(3) and (5), substituted “career and technology” for “vocational”.

LIBRARY REFERENCES

Colleges and Universities 7.

Westlaw Key Number Search: 81k7.

C.J.S. Colleges and Universities Sections 15 to 18.

**SECTION 59‑54‑30.** Progress reports of area occupational advisory committees and State Occupational Training Advisory Committee.

After one year from the effective date of this chapter, each area occupational advisory committee shall make a written progress report to the State Occupational Training Advisory Committee. The report must indicate the progress of area technical college commissions and local school boards in reaching the agreement required by Section 59‑54‑50 and specifically identify issues, if any, delaying final agreement. The State Occupational Training Advisory Committee shall report area technical college commissions and local school boards that have not made appropriate progress toward reaching an agreement to the Governor, General Assembly, State Board of Education, and the State Board for Technical and Comprehensive Education.

Based upon a review of the written reports required of the area occupational advisory committees by Section 59‑54‑40, the memoranda of agreement, and other pertinent information, the State Occupational Training Advisory Committee shall report to the Governor and General Assembly upon the cooperation, articulation, and coordination between technical college commissions and local school boards. The State Occupational Training Advisory Committee shall make its report within one year of the execution of memoranda of agreement between all affected technical college commissions and local school boards or within three years of the effective date of this chapter, whichever comes first. The report is not limited to but must specifically identify technical college commissions and local school boards whose agreements have not achieved coordination and articulation, specify the deficiencies, and make recommendations for removing deficiencies. The report of the State Occupational Training Advisory Committee shall contain the written responses, if any, of the State Board of Education, the State Board for Technical and Comprehensive Education, technical college commissions, and local school boards to the State Occupational Training Advisory Committee’s findings.

In 1989‑90 and every two years thereafter, the State Occupational Training Advisory Committee shall monitor the implementation of the memoranda of agreement and assess the cooperation, coordination, and articulation between technical college commissions and local school boards in a report to the Governor and General Assembly.

Other appropriate state agencies shall assist the State Occupational Training Advisory Committee in preparing the reports required by this section so that the reports may be prepared using existing personnel.

HISTORY: 1986 Act No. 394, Section 6.

**SECTION 59‑54‑40.** Creation of area occupational training advisory committees; responsibilities; membership and meetings; expenses; reporting requirements; dissolution.

(A) An area occupational training advisory committee is created for each of the service areas presently established by the State Board for Technical and Comprehensive Education for the various technical colleges. The purpose of the Area Occupational Training Advisory Committee is to increase coordination, articulation, and effectiveness among the various career, technical, occupational, and adult education and economic development programs in that area.

(B) Each area occupational training advisory committee shall have the responsibility of assuring that each area technical college commission and appropriate local school boards shall enter into memoranda of agreement that demonstrates the following:

(1) cooperation between the technical college and the career and technology school in the planning and delivery of adult career and technology education;

(2) articulation of secondary career and technology courses to post‑ secondary courses in the curricula of the technical college;

(3) coordination among local boards with other local community agencies, literacy councils, private and nonprofit groups in planning and delivering adult basic education, adult secondary education, and literacy programs.

(C) The membership of each area occupational training advisory committee is as follows:

(1) two private sector representatives from the area technical college commission, appointed by the State Board for Technical and Comprehensive Education;

(2) two professional representatives from the area technical college, appointed by the State Board for Technical and Comprehensive Education;

(3) one private sector representative from the governing or advisory board for career and technology education programs in the area, appointed by the State Board of Education;

(4) one faculty member or administrator for career and technology education programs in the area, appointed by the State Board of Education;

(5) two school superintendents in the area, appointed by the State Board of Education;

(6) two private sector representatives from the area, appointed by the Secretary of Commerce;

(7) two private sector representatives from the area, appointed by the Governor.

(D) With the joint approval of the State Board for Technical and Comprehensive Education, the State Board of Education, and the Secretary of Commerce, an area occupational job training advisory committee may expand its membership in the manner approved by these boards or councils in order to respond to particular local needs.

(E) Each advisory committee shall elect a chairman and such other officers as they consider necessary, the chairman to be elected from among the private sector representatives on the committee. Each committee must meet within ninety days following the effective date of this chapter and the Governor’s Office working through the state technical education system and the Department of Education shall convene the first meeting.

(F) Committee and staff expenses must be paid by the technical college within the service area.

(G) Vacancies on each advisory committee must be filled by appointment in the same manner of original appointment.

(H) The members of each area advisory committee so appointed shall serve until the advisory committee is dissolved as provided in this section.

(I) Each area occupational advisory committee must prepare a written report analyzing the cooperation, articulation, and coordination achieved in the memoranda of agreement between technical college commissions and local school boards. The written report must be completed and provided to the State Occupational Training Advisory Committee, the State Board of Education, the State Board for Technical and Comprehensive Education and the affected technical college commission and local school board within sixty days after the execution of the memoranda of agreement. The written report shall contain minority or dissenting views of members of the area occupational advisory committee, if any.

(J) The area occupational advisory committees herein established are dissolved two years after the effective date of this chapter.

HISTORY: 1986 Act No. 394, Section 11; 1993 Act No. 181, Section 1574; 1994 Act No. 361, Section 8; 2005 Act No. 49, Section 13, eff May 3, 2005.

Effect of Amendment

The 2005 amendment, in subsections (A), (B)(1), (2) and (C)(3), (4), substituted “career and technology” for “vocational”.

CROSS REFERENCES

Applicability of the requirements of this section to licensed practical nurse and vocational agriculture programs under the jurisdiction of the State Board of Education, see Section 59‑53‑20.

Reporting by the State Occupational Training Advisory Committee with respect to cooperation between technical college commissions and local school boards, based in part on the written reports required by this section, see Section 59‑54‑30.

LIBRARY REFERENCES

Colleges and Universities 7.

Westlaw Key Number Search: 81k7.

C.J.S. Colleges and Universities Sections 15 to 18.

**SECTION 59‑54‑50.** Memoranda of agreements involving local technical college commissions and local school boards; effect of failure to enter into memoranda of agreement.

(A) To assure a coordinated and articulated local delivery of career, technical, and adult basic and adult secondary education and job training, each local technical college commission and local school boards within each service area, as presently established by the State Board for Technical and Comprehensive Education for the various technical colleges, shall enter into memoranda of agreement that must demonstrate the following:

(1) cooperation between the technical college and the career and technology school in the planning and delivery of adult career and technology education;

(2) articulation of secondary career and technology courses to post‑ secondary courses in the curricula of the technical colleges;

(3) coordination among local boards, other local community agencies, literacy councils, private and nonprofit groups in planning and delivering adult basic education, adult secondary education, and literacy programs.

(B) A technical college commission or local school board that fails to enter into memoranda of agreement which substantially agrees with the provisions of this chapter within two years of the effective date of this chapter may not receive further state funding for post‑secondary or secondary career and technology education until such time as memoranda of agreement that substantially agree with this chapter have been executed.

HISTORY: 1986 Act No. 394, Section 12; 2005 Act No. 49, Section 14, eff May 3, 2005.

Effect of Amendment

The 2005 amendment, in subsection (A), (A)(1), (2) and (B), substituted “career and technology” for “vocational” and made nonsubstantive language changes in subsection (B).

CROSS REFERENCES

Applicability of the requirements of this section to licensed practical nurse and vocational agriculture programs under the jurisdiction of the State Board of Education, see Section 59‑53‑20.

Reporting by area occupational advisory committees with respect to the progress of area technical college commissions and local school boards in reaching the agreement requirement by this section, see Section 59‑54‑30.

LIBRARY REFERENCES

Colleges and Universities 7.

Westlaw Key Number Search: 81k7.

C.J.S. Colleges and Universities Sections 15 to 18.

**SECTION 59‑54‑60.** Annual reports of state agencies offering certain educational programs.

Each state agency offering career, technical, occupational, or adult basic and adult secondary education programs shall include in its annual report at least the following:

(1) a summary of students or clients served each year and the cost for each student served each year of the training or educational programs;

(2) the completion and placement rate and further education of students enrolled in career, technical, and occupational training and the completion and further education of students enrolled in adult basic and adult secondary education programs;

(3) the number of new programs started with an assessment of future job opportunities;

(4) the number of programs discontinued;

(5) the effectiveness of coordination efforts among education and training entities;

(6) the effectiveness of articulation efforts with other education and training entities;

(7) the effectiveness of the coordination of the training or education program to economic development efforts in each area of the State and the State as a whole;

(8) the degree to which unserved or underserved clients or areas previously identified are now being served or referred to other entities for service including the effectiveness of the training and education programs to assist public assistance clients and at‑risk youth to move into the work force;

(9) a summary report of follow‑up studies reflecting employer satisfaction and earnings rate of a sample of persons completing various educational and training programs and students participating in cooperative education programs.

HISTORY: 1986 Act No. 394, Section 13; 2005 Act No. 49, Section 15, eff May 3, 2005.

Effect of Amendment

The 2005 amendment in the introductory paragraph and in item (1), substituted “career” for “vocational”.

CROSS REFERENCES

Applicability of the requirements of this section to licensed practical nurse and vocational agriculture programs under the jurisdiction of the State Board of Education, see Section 59‑53‑20.