**South Carolina General Assembly**

120th Session, 2013-2014

**A272, R308, H4840**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson‑Simpson, R.L. Brown and Mitchell

Document Path: l:\council\bills\agm\18168ab14.docx

Introduced in the House on March 4, 2014

Introduced in the Senate on May 1, 2014

Last Amended on April 30, 2014

Passed by the General Assembly on June 4, 2014

Governor's Action: June 9, 2014, Signed

Summary: High School Equivalency Diploma Accessibility Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/4/2014 House Introduced and read first time ([House Journal‑page 77](file:///H%3A%5CHJ%20Archive%5C2014%5C03-04-14.docx))

 3/4/2014 House Referred to Committee on **Education and Public Works** ([House Journal‑page 77](file:///H%3A%5CHJ%20Archive%5C2014%5C03-04-14.docx))

 3/20/2014 House Member(s) request name added as sponsor: Wells, Dillard, Robinson‑Simpson, R.L.Brown, Mitchell

 4/10/2014 House Committee report: Favorable with amendment **Education and Public Works**

 4/11/2014 Scrivener's error corrected

 4/30/2014 House Amended ([House Journal‑page 45](file:///H%3A%5CHJ%20Archive%5C2014%5C04-30-14.docx))

 4/30/2014 House Read second time ([House Journal‑page 45](file:///H%3A%5CHJ%20Archive%5C2014%5C04-30-14.docx))

 4/30/2014 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 47](file:///H%3A%5CHJ%20Archive%5C2014%5C04-30-14.docx))

 5/1/2014 House Read third time and sent to Senate ([House Journal‑page 25](file:///H%3A%5CHJ%20Archive%5C2014%5C05-01-14.docx))

 5/1/2014 Senate Introduced and read first time ([Senate Journal‑page 12](file:///H%3A%5CSJ%20Archive%5C2014%5C05-01-14.docx))

 5/1/2014 Senate Referred to Committee on **Education** ([Senate Journal‑page 12](file:///H%3A%5CSJ%20Archive%5C2014%5C05-01-14.docx))

 5/1/2014 Scrivener's error corrected

 5/28/2014 Senate Committee report: Favorable **Education** ([Senate Journal‑page 26](file:///H%3A%5CSJ%20Archive%5C2014%5C05-28-14.docx))

 6/3/2014 Senate Read second time ([Senate Journal‑page 50](file:///H%3A%5CSJ%20Archive%5C2014%5C06-03-14.docx))

 6/3/2014 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 50](file:///H%3A%5CSJ%20Archive%5C2014%5C06-03-14.docx))

 6/4/2014 Senate Read third time and enrolled ([Senate Journal‑page 18](file:///H%3A%5CSJ%20Archive%5C2014%5C06-04-14.docx))

 6/5/2014 Ratified R 308

 6/9/2014 Signed By Governor

 6/13/2014 Effective date 06/09/14

 6/26/2014 Act No. 272

**VERSIONS OF THIS BILL**

[3/4/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140304.docx)

[4/10/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140410.docx)

[4/11/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140411.docx)

[4/30/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140430.docx)

[5/1/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140501.docx)

[5/28/2014](file:///p%3A%5Cpprever%5C2013-14%5C4840_20140528.docx)

(A272, R308, H4840)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT”; BY ADDING SECTION 59‑43‑25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, TO PROVIDE THAT THE TEST BATTERIES MUST HAVE DEMONSTRATED THE APPROPRIATE RIGOR FOR A HIGH SCHOOL EQUIVALENCY EXAM AND MUST BE VALID AND RELIABLE FOR THE PURPOSE FOR WHICH THESE TEST BATTERIES ARE ADMINISTERED, TO PROVIDE THE STATE BOARD SHALL SELECT AT LEAST ONE TEST BATTERY MEETING THIS RIGOR REQUIREMENT THAT IS AVAILABLE IN PAPER AND PENCIL FORM, IF ONE IS AVAILABLE, AND THAT THE APPROVED TEST BATTERIES THAT ARE AVAILABLE IN PAPER AND PENCIL FORM AND DEPENDENT ON COMPUTER TECHNOLOGY MUST BE AVAILABLE TO ELIGIBLE CANDIDATES IN BOTH FORMS, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO SUCCESSFULLY COMPLETE THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59‑43‑20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY APPLICABILITY.**

Whereas, the South Carolina General Assembly finds that the Palmetto State’s path to economic prosperity involves creating jobs and improving education, among other essential elements; and

Whereas, the South Carolina General Assembly finds that approximately four hundred eighteen thousand working‑age South Carolinians between ages eighteen and sixty‑four have not earned a high school diploma or its equivalent, which must be rectified to provide a workforce that will attract jobs and improve our overall economy; and

Whereas, the South Carolina General Assembly finds that the only test currently available to earn a high school equivalency diploma in South Carolina is offered only in a computer‑based format, requiring technology that limits the places in which it can be offered, thus limiting opportunities for people to take the test and earn their high school equivalency diploma; and

Whereas, the South Carolina General Assembly finds that adopting an alternative high school equivalency test that must be offered in a paper and pen or pencil format not dependent on the availability of computer‑based technology is essential to broadening the accessibility of the testing needed to earn a high school equivalency diploma to those who need it most. Now, therefore,

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

**Citation**

SECTION 1. This act must be known and may be cited as the “High School Equivalency Diploma Accessibility Act”.

**Test batteries, formats**

SECTION 2. Chapter 43, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑43‑25. Before January 1, 2015, the State Board of Education shall select one or more tests or test batteries that an eligible candidate successfully may complete to receive a high school equivalency diploma. The test batteries approved by the State Board must have demonstrated the appropriate rigor for a high school equivalency exam and must be valid and reliable for the purpose for which these test batteries are administered. The State Board shall select at least one test battery meeting this requirement that is available in paper and pencil form, if one is available. The approved test batteries that are available in paper and pencil (pen), as well as dependent on computer technology, must be available to eligible candidates in both forms. Upon making its selection, the board shall authorize the administration of this test by the State Department of Education under policies that the board shall establish by regulations promulgated by the board and other procedures that the board considers appropriate. The board shall issue a high school equivalency diploma to an eligible candidate who successfully completes the approved test or test battery after January 1, 2015.”

**State Board of Education powers, conforming provisions, applicability**

SECTION 3. Section 59‑43‑20 of the 1976 Code is amended to read:

 “Section 59‑43‑20. (A) The State Board of Education may:

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

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

 (3) determine the tuition which may be required of persons attending adult basic and adult secondary (GED, alternate testing, and high school diploma) education classes;

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

 (B) The State Board of Education is also responsible for the administration, coordination, and management of adult basic and adult secondary (GED, alternate testing, and high school diploma) education for the purpose of facilitating and coordinating adult basic and adult secondary (GED, alternate testing, 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 and the local school districts are responsible for effective coordination and utilization 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 interested in adult basic and adult secondary (GED, alternate testing, and high school diploma) education programs to deliver programs to the state’s undereducated adult population.

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

 (D) The requirements of this section apply to alternate high school equivalency testing required in Section 59‑43‑25.”

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2014.

Approved the 9th day of June, 2014.

\_\_\_\_\_\_\_\_\_\_