**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑1‑300 SO AS TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH AND IMPLEMENT CORRECTIONAL EDUCATION AND WORKFORCE TRAINING PROGRAMS WHICH CAN RESULT IN FISCAL SAVINGS AND A REDUCTION IN RECIDIVISM, AND TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS CORRECTIONAL EDUCATION AND WORKFORCE TRAINING PROGRAMS SHALL BE COMPOSED OF THE EDUCATIONAL FACILITIES AND SERVICES OF ALL INSTITUTIONS AND FACILITIES HOUSING INMATES OPERATED BY THE DEPARTMENT AND SHALL BE SUPERVISED BY THE DEPARTMENT.

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

SECTION 1. Chapter 1, Title 24 of the 1976 Code is amended by adding:

“Section 24‑1‑300. (A) There is hereby established under the Department of Corrections Correctional Education and Workforce Training Programs, which shall be composed of the educational facilities and services of all institutions and facilities housing inmates operated by the Department of Corrections and shall be supervised by the Department of Corrections.

(B) The Department of Corrections is vested with the authority and responsibility to manage and operate the Correctional Education and Workforce Training Programs.

(C) The responsibilities of the Correctional Education and Workforce Training Programs shall be to:

(1) develop guidelines for collecting education‑related information during the inmate reception process and for disseminating such information to the classification staff of the Department of Corrections. The information collected shall include the inmate’s areas of educational or vocational interest, vocational skills, and level of education;

(2) monitor and assess all inmate education program services and report the results of such evaluation in the annual report of activities;

(3) develop complete and reliable statistics on the educational histories, the communities and school districts where the inmates were domiciled prior to incarceration, the participation in state educational and training programs, and the occupations of inmates confined to state correctional facilities. The compiled statistics shall be summarized and analyzed in the annual report of correctional educational activities required by item (6);

(4) approve educational programs of the appropriate levels and types in the correctional institutions and develop procedures for the admission of inmate students to them;

(5) enter into agreements with public or private school districts, entities, community colleges, junior colleges, colleges, or universities as may be determined appropriate for the purpose of carrying out its duties and responsibilities and ensure that agreements require minimum performance standards and standards for measurable objectives, in accordance with established Department of Education standards;

(6) report annual activities to the Director of the Department of Corrections and the Legislature;

(7) develop and maintain complete and reliable statistics on the number of high school equivalency diplomas and vocational certificates issued by each institution in each skill area, the change in inmate literacy levels, and the number of inmate admissions to and withdrawals from education courses. The compiled statistics shall be summarized and analyzed in the annual report of correctional education activities required by item (6);

(8) develop a written procedure for selecting programs to add to or delete from the workforce training curriculum. The procedure shall include labor market analyses that demonstrate the projected demand for certain occupations and the projected supply of potential employees. In conducting these analyses, the department shall evaluate the feasibility of adding workforce training programs that have been identified by the Department of Employment and Workforce or the Department of Education as being in undersupply in this State. The department shall periodically reevaluate the workforce training programs in major institutions to determine program support and provide relevant skills to inmates who could be assigned to a correctional work program that is operated as a Prison Industry Program;

(9) ensure that every inmate who has two years or more remaining to serve on their sentence at the time the inmate is received at an institution and who lacks basic and functional literacy skills attends not fewer than one hundred fifty hours of sequential instruction in a correctional adult basic education program. The basic and functional literacy level of an inmate shall be determined by the average composite test score obtained on a test approved for this purpose by the Department of Education. Pursuant to this item:

(a) upon completion of the one hundred fifty hours of instruction, the inmate shall be retested and, if a composite test score of functional literacy is not attained, the department is authorized to require the inmate to remain in the instructional program;

(b) highest priority of inmate participation shall be focused on youthful offenders and those inmates nearing release from the correctional system;

(c) an inmate shall be required to attend the one hundred fifty hours of adult basic education instruction unless the inmate:

(i) is serving a life sentence or is under sentence of death;

(ii) is specifically exempted for security or health reasons;

(iii) attains a functional literacy level after attendance in fewer than one hundred fifty hours of adult basic education instruction; or

(iv) is unable to enter such instruction because of insufficient facilities, staff, or classroom capacity;

(d) the Department of Corrections shall develop a plan to provide academic and workforce training classes on a more frequent basis and at times that accommodate inmates with work assignments, to the extent that resources permit; and

(e) if an inmate attends and actively participates in the one hundred fifty hours of instruction, the department may grant a one‑time award of up to six additional days toward a reduction in the inmate’s sentence. Active participation means, at a minimum, that the inmate is attentive, responsive, cooperative, and completes assigned work.

(10) recommend the award of additional reduction in sentence time for inmates who receive a high school equivalency diploma or a vocational certificate;

(11) ensure that all education staff are certified in accordance with the Department of Education standards; and

(12) develop goals and measurable objectives relating to all phases of the correctional education and workforce training programs.

(D) Minors who are adjudicated as adults and who are in the custody or under the supervision of the Department of Corrections may receive and participate in educational services provided within the department without the parental consent of the minors.

(E) All inmates under twenty‑two years of age who qualify for special educational services and programs pursuant to the Individuals with Disabilities Education Act and who request a due process hearing as provided by that act shall be entitled to such hearing before the Circuit Court. Circuit Court judges shall not be required to travel to state or private correctional institutions and facilities in order to conduct these hearings.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑