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# ***THE SOUTH CAROLINA STATE REGISTER***

An official state publication, *The South Carolina State Register* is a temporary update to South Carolina's official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal or emergency action, must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor's Executive Orders, notices or public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

## **STYLE AND FORMAT OF THE SOUTH CAROLINA STATE REGISTER**

Documents are arranged within each issue of the *State Register* according to the type of document filed:

**Notices** are documents considered by the agency to have general public interest.

**Notices of Drafting Regulations** give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as proposed.

**Proposed Regulations** are those regulations pending permanent adoption by an agency.

**Pending Regulations Submitted to the General Assembly** are regulations adopted by the agency pending approval by the General Assembly.

**Final Regulations** have been permanently adopted by the agency and approved by the General Assembly.

**Emergency Regulations** have been adopted on an emergency basis by the agency.

**Executive Orders** are actions issued and taken by the Governor.

## **2002 PUBLICATION SCHEDULE**

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents will be accepted no later than 5:00 P.M. on any closing date. The modification or withdrawal of documents filed for publication must be made by **5:00 P.M.** on the closing date for that issue.

|                     | Jan. | Feb. | Mar. | Apr. | May  | June | July | Aug. | Sept. | Oct.  | Nov.  | Dec.  |
|---------------------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|
| Submission Deadline | 1/11 | 2/8  | 3/8  | 4/12 | 5/10 | 6/14 | 7/12 | 8/9  | 9/13  | 10/11 | 11/8  | 12/13 |
| Publishing Date     | 1/25 | 2/22 | 3/22 | 4/26 | 5/24 | 6/28 | 7/26 | 8/23 | 9/27  | 10/25 | 11/22 | 12/27 |

## **REPRODUCING OFFICIAL DOCUMENTS**

All documents appearing in the *South Carolina State Register* are prepared and printed at public expense. All media services are especially encouraged to give wide publicity to all documents printed in the *State Register*.

## **PUBLIC INSPECTION OF DOCUMENTS**

A copy of each document filed with the Office of the State Register is available for public inspection during normal office hours, 8:30 A.M. to 5:00 P.M., Monday through Friday. The Office of the State Register is in the Legislative Council, Fourth Floor, Rembert C. Dennis Building, 1000 Assembly Street, in Columbia. Telephone inquiries concerning material in the *State Register* or the *South Carolina Code of Regulations* may be made by calling (803) 734-2145.

## **CERTIFICATE**

Pursuant to Section 1-23-20, Code of Laws of South Carolina, 1976, this issue contains all previously unpublished documents required to be published and filed before the closing date of the issue.

Lynn P. Bartlett  
Editor

## **ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS**

To adopt, amend or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting; a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact; and, a notice that gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one hundred twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one hundred twentieth day and is effective upon publication in the *State Register*.

## **EMERGENCY REGULATIONS**

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

## REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

Regulations promulgated to comply with Federal Law are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

## EFFECTIVE DATE OF REGULATIONS

**Final Regulations** take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

**Emergency Regulations** take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during legislative interim, the regulation may be refiled for one additional ninety-day period.

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## SUBSCRIPTIONS

The *State Register* is published on the fourth Friday of each month by the Legislative Council of the General Assembly of the State of South Carolina. Subscription rate is \$95.00 per year postpaid to points in the United States. Partial subscriptions may be ordered at the rate of \$8.00 per issue for the remainder of a subscription term. Subscriptions begin July 1 and end June 30.

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### ASSESSMENT REPORT REQUESTED (120 DAY REVIEW PERIOD TOLLED)

| DOC No. | DATE | SUBJECT | AGENCY |
|---------|------|---------|--------|
|         |      |         |        |

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| DOC No. | DATE    | SUBJECT                              | AGENCY                        |
|---------|---------|--------------------------------------|-------------------------------|
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| DOC No. | DATE    | SUBJECT          | AGENCY                         |
|---------|---------|------------------|--------------------------------|
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### WITHDRAWN:

| DOC NO. | DATE    | SUBJECT                | AGENCY             |
|---------|---------|------------------------|--------------------|
| 2564    | 1 09 02 | Accreditation Criteria | Board of Education |

**2002-05**

**WHEREAS**, the undersigned has been informed that Chesterfield County Treasurer John Sowell died January 20, 2002; and

**WHEREAS**, the undersigned is authorized to appoint a County Treasurer in the event of a vacancy pursuant to the Code of Laws of South Carolina (1976), as amended, Sections 4-11-20 and 12-45-20; and

**WHEREAS**, Kathy Sheeler, 121 River Drive, Chesterfield, SC, 29709 is a fit and proper person to serve as the Treasurer of Chesterfield County.

**NOW, THEREFORE**, pursuant to the authority vested in me by the Constitution and Statutes of this State, I hereby appoint Kathy Sheeler as Treasurer of Chesterfield County until the next general election and until her successor shall qualify.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 24<sup>th</sup> DAY OF  
JANUARY 2002.**

**JIM HODGES**  
Governor

**2002-06**

**WHEREAS**, the Greenwood Development Corporation transmitted a petition for annexation of 18 acres of land located in Charleston County to Dorchester County; and

**WHEREAS**, Sections 4-5-130 through 4-5-160 of the South Carolina Code of Laws requires that I appoint a four-person commission to carefully investigate the facts relating to the area and report in writing; and

**WHEREAS**, under Executive Order 2001-13, I appointed Ral Z. Smith of Mt. Pleasant; John H. Brown of Mt. Pleasant; John Morgan of North Charleston; and Cathy Anthony of Goose Creek to examine the annexation in Charleston and Dorchester Counties; and

**WHEREAS**, the Greenwood Development Corporation withdrew its petition for annexation of 18 acres of land located in Charleston County to Dorchester County.

**NOW, THEREFORE**, by virtue of the power and authority vested in me as Governor, pursuant to the Constitution and Laws of the State of South Carolina, I hereby declare that Executive Order 2001-13 is cancelled, rescinded, and from this date declared null and void

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 6<sup>th</sup> DAY OF  
FEBRUARY, 2002.**

**JIM HODGES**  
Governor

#### **4 EXECUTIVE ORDERS**

**2002-07**

**WHEREAS**, various locations in South Carolina are frequently chosen as sites for the shooting of films; and

**WHEREAS**, there is no indigenous film industry in South Carolina to produce and export film and television products to the rest of the country and world; and

**WHEREAS**, an indigenous film industry would bring various individuals critical to the industry's success who would contribute to South Carolina's economy; and

**WHEREAS**, ancillary commercial sectors that would benefit from an indigenous film industry in South Carolina include, among others, banking, insurance, software engineering, media, real estate, entertainment, food and beverage, accommodations, tourism, construction; and

**WHEREAS**, the film industry offers tremendous potential benefits to South Carolina with virtually no adverse impact on the State's natural resources.

**NOW THEREFORE**, I hereby establish the South Carolina Film Industry Task Force ("Task Force") to determine the feasibility of establishing a film industry in South Carolina, and, if such development is feasible, to provide to the Governor and the General Assembly recommendations for developing a film industry in South Carolina. The twenty member Task Force shall:

1. Consist of eight individuals with professional experience in film production; two financial experts; one representative of the South Carolina Commission on Higher Education; one representative of the South Carolina Educational Television Commission; and three at-large members, one representative shall be designated by the Governor as chairperson;
2. Consist of two Senate members and two House of Representatives members;
3. Receive assistance from the Governor's Office staff;
4. Receive testimony and other information from all parties interested and willing to provide input in developing a South Carolina film industry;
5. Examine the potential roles of public colleges and universities in developing a South Carolina film industry;
6. Examine appropriate roles for the public and private sectors in developing a film industry in South Carolina;
7. Examine the need for legislation to facilitate development of a South Carolina film industry, and recommend legislation, if deemed appropriate; and
8. Render expeditiously a thorough report to the Governor and the General Assembly, considering time constraints of members.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 6th DAY OF  
FEBRUARY, 2002.**

**JIM HODGES  
Governor**

2002-08

**WHEREAS**, the citizens of South Carolina owe a debt of gratitude to the law enforcement officers of South Carolina for jeopardizing their lives daily serving and protecting our state; and

**WHEREAS**, as the state's chief executive and commander-in-chief, the Governor is responsible for taking appropriate measures to prevent untimely deaths and injuries to our devoted law enforcement officers; and

**WHEREAS**, the law enforcement community seeks to ensure the safety of its officers and continues to work diligently to this end; and

**WHEREAS**, in the wake of recent tragic deaths of law enforcement officers in the line of duty, it is necessary to examine and reassess issues of training, equipment needs, policies and procedures to ensure that law enforcement officers are able to fulfill their duties in the safest manner possible; and

**WHEREAS**, the state's coordinated effort is essential to enhancing the strategic plan of the law enforcement community at the local, state, and national level.

**NOW THEREFORE**, I hereby establish the South Carolina Law Enforcement Officer Safety Review Task Force ("Task Force") to coordinate efforts to enhance the safety of law enforcement officers in our State. The Director of the Criminal Justice Academy of South Carolina Department of Public Safety shall chair the ten-member Task Force.

1. The Task Force shall be comprised of the following individuals or their designees:

Director of the South Carolina Law Enforcement Division  
President of the South Carolina Sheriffs' Association  
President of the South Carolina Police Chiefs' Association  
Director of the South Carolina Department of Probation, Parole, and Pardon Services  
Director of the South Carolina Department of Juvenile Justice  
Director of the South Carolina Department of Natural Resources  
Director of the South Carolina Department of Corrections  
Colonel of the South Carolina Highway Patrol  
Director of the National Law Enforcement and Corrections Technology Center Southeast  
Special Agent-In-Charge of the Federal Bureau of Investigations, Columbia Division Office

2. The Criminal Justice Academy of the South Carolina Department of Public Safety shall provide staff support as necessary to assist the Task Force in carrying out the directives of this Executive Order.
3. The Task Force shall submit its recommendations to the Governor no later than May 31, 2002.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 8th DAY OF  
FEBRUARY 2002.**

**JIM HODGES  
Governor**

## 6 NOTICES

### DEPARTMENT OF CONSUMER AFFAIRS NOTICE CHANGES IN DOLLAR AMOUNTS

The Administrator of the Department of Consumer Affairs announces changes in Dollar Amounts in Regulation 28-62, pursuant to Sections 37-1-109 and 37-6-104 (1) (e). The changes will adjust certain dollar amounts in the Consumer Protection Code which change on July 1 of every even numbered year based on the changes in the Consumer Price Index for December of the prior year. The dollar amounts will increase 10% with the exception of Sections 37-2-203 (2) and 37-3-203 (2) which have a self-executing formula of 40%. The designated dollar amount figures are Sections 37-2-104(1)(e), 37-2-106(1)(b), 37-2-203(1), 37-2-407(1), 37-2-705(1)(a), 37-2-705(1)(b), 37-3-510, 37-3-511, 37-3-514, 37-5-102(2), (3) and (4). The Department is required to announce these changes by publication in the State Register by April 30 of each even numbered year.

#### Text:

| Consumer Protection<br>Code Section | Section                                | 7/1/02 through 6/30/04 |                     |
|-------------------------------------|--|------------------------|---------------------|
|                                     |  | Change<br>From         | Dollar Amount<br>To |
| 2.104(1)(e)                         | Consumer Credit Sale                   | 67,500.00              | 70,000.00           |
| 2.106(1)(b)                         | Consumer Lease -                       | 67,500.00              | 70,000.00           |
| 2.203(1)                            | Delinquency Charge-Sales               | 13.50                  | 14.00               |
| 2.203(2)                            | Minimum Delinquency Charge-            | 5.40                   | 5.60                |
| 2.407(1)                            | Security Interest-Sales                | 810.00<br>2,700.00     | 840.00<br>2,800.00  |
| 2.705(1)(a)                         | Delinquency Charge-<br>Rental Purchase | 7.60                   | 8.00                |
| 2.705(1)(b)                         | Delinquency Charge-<br>Rental Purchase | 3.80                   | 4.00                |
| 3.104(1)(d)                         | Consumer Loan                          | 67,500.00              | 70,000.00           |
| 3.203(1)                            | Delinquency Charge-Loans               | 13.50                  | 14.00               |
| 3.203(2)                            | Minimum Delinquency                    | 5.40                   | 5.60                |
| 3.510                               | Land as Security-<br>Supervised Loans  | 2,700.00               | 2,800.00            |
| 3.511                               | Maximum Loan Term-                     | 810.00<br>2,700.00     | 840.00<br>2,800.00  |
| 3.514                               | Attorney's Fees-<br>Supervised Loans   | 2,700.00               | 2,800.00            |
| 5.103(2), (3),<br>& (4)             | Deficiency Judgement                   | 4,050.00               | 4,200.00            |

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

## NOTICE OF GENERAL PUBLIC INTEREST

Public Notice #02-505-GP-N

February 22, 2002

The South Carolina Department of Health and Environmental Control (DHEC), Bureau of Air Quality, does hereby give notice of authorization being granted to the following sources who have requested coverage under General Conditional Major Operating Permit (GCMP-02) "Fuel Combustion Operations." This general permit was previously opened for a 30 day public comment period on December 28, 2000, with final issuance on August 01, 2001. Pursuant to South Carolina Regulation 61-62.1, Section II G(7)(a)&(b), the Department may now grant coverage to those qualified sources seeking to operate under the terms and conditions of this general permit. The authorization of each facility's coverage shall be a final permit action for purposes of administrative review.

In accordance with the provisions of the Pollution Control Act, Sections 48-1-50(5) and 48-1-110(a), the 1976 Code of Laws of South Carolina, as amended, and Regulation 61-62 "Air Pollution Control Regulations and Standards," these sources are hereby granted permission to discharge air contaminants into the ambient air. The Bureau of Air Quality authorizes the operation of these sources in accordance with the plans, specifications and other information submitted by each facility in the General Conditional Major Permit application. Facilities operating under this permit seek to limit their potential to emit below the thresholds which define a major source by complying with the federally enforceable conditions contained in this permit. Permit coverage is subject to and conditioned upon the terms, limitations, standards, and schedules contained in or specified on said permit.

Interested persons may review the final general permit, materials submitted by the applicant, and any written comments received, during normal business hours, at the following location: SC DHEC, Bureau of Air Quality, 2600 Bull Street, Columbia, South Carolina, 29201.

This notice is given pursuant to the requirements of South Carolina Regulation 61-62.1, Section II G(7)(c). Comments and questions concerning any of the following individual facility's coverage under this permit should be directed to: Mr. Carl W. Richardson, P. E., Director, Engineering Services Division, Bureau of Air Quality, SC DHEC, 2600 Bull Street, Columbia, South Carolina, 29201 at (803) 898-4123.

**MARLBORO COUNTY**

Sopakco Packaging Inc  
320 S Broad St  
Bennettsville SC

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

## NOTICE OF GENERAL PUBLIC INTEREST

Public Notice #02-506-GP-N

February 22, 2002

The South Carolina Department of Health and Environmental Control (DHEC), Bureau of Air Quality, does hereby give notice of authorization being granted to the following sources who have requested coverage under General Conditional Major Operating Permit (GCMP-03) "Hot Mix Asphalt Plants." This general permit was previously opened for a 30 day public comment period on March 28, 2001, with final issuance on February 01, 2002. Pursuant to South Carolina Regulation 61-62.1, Section II G(7)(a)&(b), the Department may now grant

## 8 NOTICES

coverage to those qualified sources seeking to operate under the terms and conditions of this general permit. The authorization of each facility's coverage shall be a final permit action for purposes of administrative review.

In accordance with the provisions of the Pollution Control Act, Sections 48-1-50(5) and 48-1-110(a), the 1976 Code of Laws of South Carolina, as amended, and Regulation 61-62 "Air Pollution Control Regulations and Standards," these sources are hereby granted permission to discharge air contaminants into the ambient air. The Bureau of Air Quality authorizes the operation of these sources in accordance with the plans, specifications and other information submitted by each facility in the General Conditional Major Permit application. Facilities operating under this permit seek to limit their potential to emit to below the thresholds which define a major source by complying with the federally enforceable conditions contained in this permit. Permit coverage is subject to and conditioned upon the terms, limitations, standards, and schedules contained in or specified on said permit.

Interested persons may review the final general permit, materials submitted by the applicant, and any written comments received, during normal business hours, at the following location: SC DHEC, Bureau of Air Quality, 2600 Bull Street, Columbia, South Carolina, 29201.

This notice is given pursuant to the requirements of South Carolina Regulation 61-62.1, Section II G(7)(c). Comments and questions concerning any of the following individual facility's coverage under this permit should be directed to: Mr. Carl W. Richardson, P. E., Director, Engineering Services Division, Bureau of Air Quality, SC DHEC, 2600 Bull Street, Columbia, South Carolina, 29201 at (803) 898-4123.

### AIKEN COUNTY

Reeves Construction Co Aiken Plt  
822 Ascauga Lake Rd  
Aiken SC

Satterfield Construction Co Inc - Eureka  
Hwy 191  
Eureka SC

### ANDERSON COUNTY

Ashmore Brothers Inc - Anderson Plant #2  
300 Mcgee Rd  
Anderson SC

Sloan Construction Company Inc - Anderson  
Bellhaven Rd Ext  
Anderson SC

F&R Asphalt Inc -Plant #2  
Hwy 88  
Pendleton SC

Pickens Construction Inc  
415 Mcgee Rd  
Anderson SC

### BEAUFORT COUNTY

Rea Construction Co - Grays Hill

42 Jeter Rd  
Grays Hill SC

BERKELEY COUNTY

Sanders Brothers Const Co Inc - Summerville  
2142 Ashpalt Dr  
Summerville SC

CHARLESTON COUNTY

Banks Construction Co  
4991 Banco Rd  
North Charleston SC

Sanders Brothers Const Co Inc - N Charleston  
1981 Harley St  
North Charleston SC

CHESTERFIELD COUNTY

APAC Carolina Inc.-Plt #501  
Ogburn Rd  
Jefferson SC

Furr Grading & Paving Inc  
Hwy 52 S  
Cheraw SC

DORCHESTER COUNTY

Rea Construction Company Portable  
Rt 27  
Ridgeville SC

FAIRFIELD COUNTY

Satterfield Construction Co Inc - Blair  
Sc 20 11  
Blair SC

FLORENCE COUNTY

APAC Carolina Inc.-Plt #418  
1550 E Campground Rd  
Florence SC

Palmetto Paving Corporation - Florence  
1115 N Willinston Rd  
Florence SC

APAC Carolina Inc Florence Asphalt Plant  
826 W Lucas St



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Florence SC

### GREENVILLE COUNTY

King Asphalt Inc - Simpsonville  
I 385 & Old Stage Rd  
Simpsonville SC

Ashmore Brothers Inc - Greer  
1880 S Hwy 14  
Greer SC

Blythe Construction Inc Plt 4  
Hwy 20 & Brown Rd  
Greenville SC

Panagakos Asphalt Paving  
Greencove Dr  
Greenville SC

### GREENWOOD COUNTY

Satterfield Construction Co Inc - Greenwood  
1903 Hwy 246 N  
Greenwood SC

Tri State Paving & Grading Inc  
Old Laurens Rd  
Greenwood SC

LCI Lineberger Construction Inc  
Hwy 246  
Coronaca SC

### HAMPTON COUNTY

Rea Construction Company Ulmers  
Sr 65  
Yemassee SC

### HORRY COUNTY

APAC Carolina Inc Loris Plt #507  
2610 S Hwy 701  
Loris SC

### JASPER COUNTY

Rea Construction Company Ridgeland  
Hwy 17 N  
Ridgeland SC

Carolina Asphalt Paving Inc

Hwy 141  
Ridgeland SC

LEE COUNTY

APAC Carolina Inc.-Plt #406  
Backswamp Rd  
Lynchburg SC  
LEXINGTON COUNTY

Rea Construction Co West Columbia Plt  
3176 Charleston Hwy  
West Columbia SC

Sloan Construction Company Inc - Cayce  
600 Taylor St  
Cayce SC

Lanier Const. Co., Inc - Gaston Asphalt  
4016 Hwy 321  
Gaston SC

MARLBORO COUNTY

Turner'S Grading & Paving Company  
169 Beauty Spot Rd  
Bennettsville SC

APAC Carolina Inc.-Plt #420  
Marlboro Rd  
Bennettsville SC

OCONEE COUNTY

Hubbard Paving & Grading Inc  
698 Rock Crusher Rd  
Walhalla SC

ORANGEBURG COUNTY

Rea Construction Co - Orangeburg  
2585 Kennerly Rd  
Orangeburg SC

PICKENS COUNTY

King Asphalt Inc - Liberty  
Hwy # 93  
Liberty SC

Sloan Construction Company Inc - Liberty  
Hwy 93  
Liberty SC

## 12 NOTICES

### RICHLAND COUNTY

Sloan Construction Company Inc - Columbia  
621 Rosewood Dr  
Columbia SC

C R Jackson Inc  
100 Independence Blvd  
Columbia SC

### SPARTANBURG COUNTY

Asphalt Associates Inc  
546 Springfield Rd  
Spartanburg SC

Asphalt Contractors Llc  
Half Moon Rd  
Lyman SC

Sloan Construction Company Inc - Pacolet  
Hwy 176  
Pacolet SC

King Asphalt Inc Spartanburg  
Lawson Creek Dr  
Spartanburg SC

F&R Asphalt Inc -Plant #1  
Ballenger Rd  
Lyman SC

### SUMTER COUNTY

APAC Carolina Inc.-Plt #416  
Eagle Rd  
Sumter SC

### WILLIAMSBURG COUNTY

Rea Construction Co Greeleyville  
Highway 521 & 52  
Greeleyville SC

APAC Carolina Inc.-Plt #402  
Us Hwy # 521  
Andrews SC

### YORK COUNTY

York Asphalt Services Inc - Lowrys  
150 Cemetary St

York SC

Boggs Materials Inc  
751 Porter Rd  
Rock Hill SC

Rea Construction Company Rock Hill  
900 Hawkfield Rd  
Rock Hill SC

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

In accordance with Section 44-7-200(C), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication February 22, 2002, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Mr. Albert N. Whiteside, Director, Division of Planning and Certification of Need, 2600 Bull St., Columbia, SC 29201 at (803) 545-4200.

Affecting Anderson County

Provision of mobile Positron Emission Tomography (PET) services two (2) days per week.  
Anderson Area Medical Center  
Anderson, South Carolina  
Project Cost: \$1,949,000

Affecting Berkeley, Charleston, Colleton, Dorchester, and Hampton Counties

Establishment of a separately licensed office for the existing licensed agency to serve Berkeley, Charleston, Colleton, Dorchester, and Hampton Counties in order to meet Centers for Medicare and Medicaid Services (CMS) regulations.  
Winyah Home Health of the Low Country d/b/a Interim of Coastal Carolina  
North Charleston, South Carolina  
Project Cost: \$2,370

Affecting Charleston County

Replacement and relocation of a linear accelerator to Mt. Pleasant.  
Hollings Cancer Center Medical University of South Carolina Radiotherapy Center  
Charleston, South Carolina  
Project Cost: \$4,287,503

Affecting Dorchester County

Conversion of six (6) of the existing 20 hospital-based nursing home beds to six (6) general acute care (medical/surgical) beds resulting in a total of fourteen (14) nursing home beds and eighty (80) acute care beds.  
Summerville Medical Center  
Summerville, South Carolina  
Project Cost: \$0.00

Affecting Florence County

Renovation of existing space for the initiation of full-time Positron Emission Tomography (PET) services.

## 14 NOTICES

McLeod Regional Medical Center  
Florence, South Carolina  
Project Cost: \$3,173,204

Affecting Lexington County

Renovation of existing facility for the addition of 4 Residential Treatment Facility (RTF) beds, for a total of 39 psychiatric beds, 27 substance abuse beds, and 18 RTF beds.

Three Rivers Center for Behavioral Health  
West Columbia, South Carolina  
Project Cost: \$159,500

Affecting Orangeburg County

Construction of a freestanding Ambulatory Surgery Center (ASC) to include four operating rooms.

Ambulatory Surgery Center of Orangeburg, LLC d/b/a Edisto Surgery Center  
Orangeburg, South Carolina  
Project Cost: \$4,957,074

Affecting Richland County

Addition of four (4) Level III Neonatal Intensive Care Unit (NICU) Bassinets for a total of eight (8) Level III NICU bassinets.

Palmetto Baptist Medical Center  
Columbia, South Carolina  
Project Cost: \$64,724

Affecting Spartanburg County

Provision of mobile Positron Emission Tomography (PET) services three (3) days per week.

Spartanburg Regional Medical Center  
Spartanburg, South Carolina  
Project Cost: \$1,325,400

In accordance with S.C. DHEC Regulation 61-15, the public and affected persons are hereby notified that the review cycle has begun for the following project(s) and a proposed decision will be made within 60 days beginning February 22, 2002. "Affected persons" have 30 days from the above date to submit comments or requests for a public hearing to Mr. Albert N. Whiteside, Director, Division of Planning and Certification of Need, 2600 Bull Street, Columbia, S.C. 29201. For further information call (803) 545-4200.

Affecting Lexington County

Renovation of existing space for the addition of a fixed Positron Emission Tomography (PET) scanner.

Lexington Medical Center  
Lexington, South Carolina  
Project Cost: \$2,503,209

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

PUBLIC NOTICE

Section IV of R.61-98, the State Underground Petroleum Environmental Response Bank (SUPERB) Site Rehabilitation and Fund Access Regulation, requires that the Department of Health and Environmental Control evaluate and certify site rehabilitation contractors to perform site rehabilitation of releases from underground storage tanks under the State Underground Petroleum Environmental Response Bank (SUPERB) Act. Pursuant to Section IV.B.1., the Department is required to place a list of those contractors requesting certification on public notice and accept comments from the public for a period of thirty (30) days. If you wish to provide comments regarding the companies and individuals listed below, please submit your comments in writing, no later than March 25, 2002 to:

Contractor Certification Program  
South Carolina Department of Health and Environmental Control  
Bureau of Underground Storage Tank Management  
Attn: Barbara Boyd  
2600 Bull Street  
Columbia, SC 29201

The following companies and individuals have applied for certification as Underground Storage Tank Site Rehabilitation Contractors:

Class I

Allied Environmental Services  
Geo Services, Inc.  
Wright Padgett Christopher, Inc. - Savannah

Class II

## 16 DRAFTING

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: Section 44-7-260, *et. seq.*,

#### Notice of Drafting:

The Department of Health and Environmental Control proposes to revise Regulation 61-91, Standards For Licensing Ambulatory Surgical Facilities. Interested persons may submit written comments to Jerry L. Paul, Director, Division of Health Licensing, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201. To be considered, all comments must be received no later than 5:00 p.m., March 25, 2002, the close of the drafting period.

#### Synopsis:

The Department proposes to revise the regulation to include, but not be limited to; update and expand definitions; clarify licensing requirements; update licensing fee amounts; describe inspection and reporting requirements; add reference to Departmental consultations; update enforcement action procedures; add facility policy/procedures and quality improvement standards; update sections related to treatment, procedures, services, and care; update sections regarding patient record content and maintenance; update tuberculin screening requirements; add reporting requirements; add patient rights standards; amend design and construction requirements; add exceptions related to the operation of endoscopy facilities; and add a severability clause.

Legislative review will be required.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code

Sections 44-96-260, 44-96-290, 44-96-300, 44-96-320, 44-96-325, 44-96-330, 44-96-350, 44-96-380, 44-96-390, 44-96-400, 44-96-410, 44-96-440, 44-96-450 44-96-460, and 44-96-470.

#### Notice of Drafting:

The Department of Health and Environmental Control proposes to amend R.61-107.11 Solid Waste Management: Construction, Demolition, and Land-clearing Debris Landfills. Interested persons may submit their views by writing to Art Braswell at S.C. Department of Health and Environmental Control, Bureau of Land and Waste Management, 2600 Bull Street, Columbia, S.C. 29201. To be considered, written comments must be received no later than 5:00 p.m. on March 25, 2002, the close of the drafting period.

This Notice supersedes the Notice of Drafting of an amendment to R.61-107.11 published on October 26, 2001. The Department has determined that a more comprehensive amendment is appropriate. Two written comments were received regarding the October Notice.

#### Synopsis:

As a means of stream lining Department regulations, the proposed amendment to R.61-107.11 will rename the regulation from "Construction, Demolition, and Land-clearing Debris Landfills" to "Solid Waste Landfills and Structural Fill" and will encompass all solid waste landfills and structural fill activities. This amended regulation will supersede R.61-107.13 SWM: Municipal Solid Waste Incinerator Ash Landfills, R.61-107.16 SWM: Industrial Solid Waste Landfills, and R.61-107.258 SWM: Municipal Solid Waste Landfills, thus reducing the number of solid waste regulations that address land filling from four (4) regulations to one (1) regulation.

This proposed amendment will place more emphasis on the waste stream and less emphasis on the source of generation. Issues including, but not limited to, demonstration-of-need, transfer of ownership, and financial assurance requirements will be revised for consistency. The Appendices will be revised to include disposal of brown goods, segregated commercial waste, animal carcasses, and cathode ray tubes. As appropriate throughout the regulation, procedures for determining the separation of the groundwater table and the bottom of the disposal area, permitting and reporting requirements, and criteria for noting the existence of a disposal facility on property in the record of ownership will be revised and clarified. Other pertinent changes that fall within the scope of the proposed revisions as outlined in this Notice will be addressed, to include the addition and amendment of definitions, and stylistic changes.

This amendment will divide the regulation into five (5) parts as follows:

Part I will address structural fill activities. This part will clarify the difference in “structural fill” and “beneficial fill” and require registration of all structural fill activity. This measure is meant to clarify the language of the regulation, to help alleviate open dumping, and to provide a viable mechanism for structural fill using a suitable waste stream. The proposed amendment will also delete ambiguous language that addresses a structural fill exemption in the current regulation.

Part II will continue to address beneficial fill activity using land-clearing debris under a General Permit. Beneficial fill will be better defined.

Part III will address inert commercial and noncommercial landfills. These landfills will be able to accept a waste stream based on type of waste instead of the source of generation. Criteria will be defined for determining if a waste is inert and suitable for disposal in a Part III inert landfill. Part III landfills will encompass existing R.61-107.11 Parts III and IV construction and demolition landfills, and R.61-107.16 Class I industrial landfills. The Department is considering the addition of groundwater monitoring and post-closure requirements for these landfills. The Department may also consider allowing the disposal of lead-base painted waste in these landfills contingent upon the addition of groundwater monitoring.

Part IV will address existing R.61-107.16, Class II industrial landfills.

Part V. will address the existing municipal solid waste landfills, incinerator ash landfills, and industrial Class III landfills. Subtitle D siting and construction standards will apply for all Part V proposed landfills.

The public and regulated community are invited to submit suggestions to the proposed amendment outlined in this notice. This regulation amendment is comprehensive and will streamline and reduce Department solid waste regulations that address land filling issues. Legislative review of the proposed amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**BOARD OF CHIROPRACTIC EXAMINERS**  
 CHAPTER 25

Statutory Authority: 1976 Code Sections 40-1-40 and 40-9-30

**Notice of Drafting:**

The Board of Chiropractic Examiners is proposing to amend Regulation 25-3 by removing the requirement for applicants to be examined by the Board in the subject of philosophy in order to be licensed as chiropractors. Interested persons should submit their views in writing to Alana T. Holmes, Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, SC 29211-1329.



## **18 DRAFTING**

### **Synopsis:**

The revision to regulation 25-3 will remove the requirement for applicants to be examined by the Board in the subject of philosophy in order to be licensed as chiropractors. The Board has determined that philosophy is taught in all accredited chiropractic colleges as a part of the standard curriculum and it is therefore no longer necessary for the Board to administer a take-home examination to applicants seeking to be licensed chiropractors.

### **DEPARTMENT OF LABOR, LICENSING AND REGULATION BOARD OF CHIROPRACTIC EXAMINERS**

#### **CHAPTER 25**

Statutory Authority: 1976 Code Sections 40-1-40 and 40-9-30

### **Notice of Drafting:**

The Board of Chiropractic Examiners is proposing to amend Regulation 25-8 by adding a requirement that chiropractors must clearly indicate on signs, solicitations and advertisements that chiropractic services are being offered. Interested persons should submit their views in writing to Alana T. Holmes, Department of Labor, Licensing and Regulation, P. O. Box 11329, Columbia, SC 29211-1329.

### **Synopsis:**

This revision to regulation 25-8 will ensure that chiropractic practitioners give adequate notice to the public of the type of services being offered by requiring that signs, solicitations or advertisements shall clearly indicate that chiropractic services are being offered.

### **DEPARTMENT OF NATURAL RESOURCES**

#### **CHAPTER 123**

Statutory Authority: 1976 Code Section 50-11-2200

### **Notice of Drafting:**

The Department of Natural Resources proposed to amend Regulation 123-40, "Hunt Units and Game Management Area Regulations". The subject of the proposed action is to amend the regulation to modify existing seasons and methods to allow additional hunting opportunity on wildlife management areas. Any person interested may submit written comments to William S. McTeer, Deputy Director, Wildlife & Freshwater Fisheries Division, S. C. Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

### **Synopsis:**

This amended regulation will allow the expansion of existing seasons and methods within the current season framework to allow additional opportunity on existing and new Wildlife Management Areas. The regulation sets seasons, bag limits and methods of hunting and taking of wildlife on Wildlife Management Areas.

**DEPARTMENT OF PUBLIC SAFETY  
Criminal Justice Academy Division**

Chapter 38

Statutory Authority: 1976 Code Section 23-6-10 et seq. and 23-47-20(C)(15).

**Notice of Drafting:**

The South Carolina Department of Public Safety is considering promulgating changes to Regulations 38-001 et seq. and 38-060 et seq. regarding law enforcement training and E-911 training. Interested parties should submit their comments in writing to Mr. Sid Gaulden, Office of Executive Affairs, 5410 Broad River Road, Columbia, South Carolina 29212.

**Synopsis**

The changes will update existing regulations to better meet the training needs of law enforcement officers in this state and improve the existing certification requirements.

## 20 PROPOSED REGULATIONS

Document No. 2727  
**STATE CROP PEST COMMISSION/CLEMSON UNIVERSITY**  
CHAPTER 27  
Statutory Authority: S. C. Code Sections 46-9-40; 46-9-60

### Preamble:

The Commission proposes to amend the suppressive areas by deleting countywide quarantines and substituting therefore specific farms and locations where witchweed continues to exist. Notice of Drafting was published in the State Register on October 26, 2001. No comments were received.

### Section-by-Section Discussion

- 27-50 B (1) Witchweed has been eradicated in Dillon County; consequently there are no suppressive areas.
- 27-50 B (2) Witchweed has been eradicated in Florence County; consequently there are no suppressive areas.
- 27-50 B (3) The general areas in subsections (a) and (b) are being reduced and specific farms are named instead, in areas where witchweed has not been eradicated. The farms listed currently in subsections (c) through (k) are deleted as witchweed has been eradicated on these farms, but additional farms are now listed as (c) through (l).
- 27-50 B (4) Witchweed has been eradicated to a large extent in Marion County; however it remains existent on certain specific farms. The amendment will delete the quarantine of Marion County as a whole, and substitute those specific locations where witchweed is found.
- 27-50 B (5) No change.

### Notice of Public Hearing and Opportunity for Public Comment:

Interested members of the public and the regulated community are invited to make oral or written comments on the proposed amendments at a public hearing to be conducted at the Center for Applied Technology, 511 Westinghouse Road, Pendleton, SC on Sunday, April 28, 2002. If no qualified request is received on or before close of business on Thursday, April 25, 2002, said hearing will be cancelled without further notice.

Interested persons may submit written comments on the proposed amendments by writing to Dr. H. B. Jackson, Department of Plant Industry, 511 Westinghouse Road, Pendleton, SC, 29670. To be considered, such comments must be received by close of business on Thursday, April 25, 2002.

### Preliminary Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions.

### Statement of Need and Reasonableness:

This statement of need and reasonableness was determined by staff analysis pursuant to S. C. Code Section 1-23-115(c) (1) through (3) and (9) through (11).

DESCRIPTION OF REGULATION: 27-50, Regulated Areas

Purpose: Regulation 27-50 is being amended by narrowing its scope of application.

Legal Authority: S. C. Code Sections 46-9-40; 46-9-60.

Plan for Implementation: The proposed amendments will take place upon approval by the General Assembly and Publication in the State Register. The Department will notify the regulated community of the amendments.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: The regulation was initially implemented to control the spread of witchweed. Witchweed has been eradicated on the geographic areas being deleted from this regulation, and there is no need for the quarantine to remain on uninfested areas.

DETERMINATION OF COSTS AND BENEFITS: There is no need to quarantine uninfested areas. By removing these areas from quarantine restrictions, it prevents uncertainty by outside agencies that may be relying on the letter of the quarantine for restrictive purposes.

UNCERTAINTIES OF ESTIMATES: None

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH: None. No treatments are necessary on uninfested lands.

DETRIMENTAL EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATIONS ARE NOT IMPLEMENTED: None. However, regulations which are no longer needed should be deleted to prevent reliance by third parties on outdated and incorrect information.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.net/regnsrch.htm>. If you do not have access to the Internet, the text may be obtained from the promulgating agency.

Document No. 2728

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**CHAPTER 19**

Statutory Authority: 1976 Code Sections 40-1-40, and 10-5-220, et seq.

**BUILDING ACCESSIBILITY REGULATIONS**

**Preamble:**

The Board for Barrier Free Design is proposing to amend Regulation 19 to transfer its duties and responsibilities under the Accessibility Act (§10-5-210, et seq.) to a standing committee of the Building Codes Council, to clarify certain language, to delete obsolete and redundant language, to delete language that is covered by the International Building Code or in other statutes, to eliminate conflicts between the existing statutes and regulations for the Building Codes Council and the Board for Barrier Free Design, and to renumber and reletter remaining sections of this regulation.

Section by Section Discussion:

The following is a section by section discussion of the amendments proposed by the Board for Barrier Free Design:

Regulation 19-400.1(A).

Delete obsolete language. Replace with updated language.

Regulation 19-400.1(B).

Delete redundant language (covered in Section 10-5-220(2) of the Statute). Remove unnecessary language. Remove Table 1 (covered in International Building Code).

## 22 PROPOSED REGULATIONS

Regulation 19-400.1(C).

Delete language (covered in International Building Code).

Regulation 19-400.1(D).

Delete language (covered in International Building Code).

Regulation 19-400.1(E).

Delete language (covered in International Building Code).

Regulation 19-400.1(F).

Delete language (covered in International Building Code).

Regulation 19-400.1(G).

Delete language (covered in International Building Code).

Regulation 19-400.1(H).

Delete subsection (obsolete).

Regulation 19-400.1(I).

Delete language (covered in International Building Code).

Regulation 19-400.2(A).

Replace the word "Renovation" with the word "Alteration" (to be consistent with the statutory language).  
Delete the word "Standard"(obsolete).

Regulation 19-400.2(C)(1).

Delete definition of "Board" (obsolete).

Regulation 19-400.2(C)(2).

Delete definition of "Facilities" (covered in Section 10-5-220 (3) of the Statute).

Regulation 19-400.2(C)(3).

Delete definition of "Government Buildings" (covered in Section 10-5-220 (1) of the Statute).

Regulation 19-400.2(C)(4).

Delete definition of "Public Buildings" (covered in Section 10-5-220 (2) of the Statute).

Regulation 19-400.2(C)(5).

Delete definition of "Renovation" (covered in the International Building Code).

Regulation 19-400.3.

Delete section (covered in the International Building Code).

Regulation 19-400.4.

Delete section (obsolete language).

Regulation 19-400.5.

Renumber to 19-400.3

Regulation 19-400.5(A).

Delete redundant language. Covered in Section 10-5-270(A) of the Statute.

Regulation 19-400.5(B).

Delete redundant language. Covered in Section 10-5-270(A) of the Statute.

Regulation 19-400.5(C).

Delete redundant language. Covered in Section 10-5-270(A) of the Statute.

Regulation 19-400.5(D).

Language clean-up, clarification and reletter as subsection (A).

Regulation 19-400.5(E).

Delete obsolete language.

Regulation 19-400.5(F).

Delete obsolete language.

Regulation 19-400.5(G).

Delete obsolete language.

Regulation 19-400.5(H).

Delete obsolete language.

Regulation 19-400.5(I).

Delete obsolete language.

Regulation 19-400.5(J).

Delete obsolete language, language clean up, update enforcement responsibility in jurisdictions without building officials and reletter as subsection (B).

Regulation 19-400.5(K).

Delete unnecessary language, language clean up and reletter as subsection (C).

Regulation 19-400.5.

Add new subsection (D) to include language for accessible venues for state meetings and conferences (consistent with statute).

Regulation 19-400.6.

Delete section (covered in Section 10-5-250(B) of the Statute).

Regulation 19-400.7.

Delete section (obsolete language).

Regulation 19-400.8.

Delete section (obsolete language).

Regulation 19-400.9.

Delete section (obsolete language).

**Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(b) of the 1976 Code of Laws of South Carolina, as amended, such hearing will be conducted at the Administrative Law Judge Division at 3:00 p.m. on Tuesday, April 2, 2002. Written comments may be directed to Gary F. Wiggins, Administrator, Board for

## 24 PROPOSED REGULATIONS

Barrier Free Design, Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329, no later than 5:00 p.m., Monday, March 25, 2002.

**Preliminary Fiscal Impact Statement:** There will be no additional cost incurred by the State or any political subdivision.

### **Statement of Need and Reasonableness:**

#### DESCRIPTION OF REGULATION:

Purpose: To ensure that the provisions of recently enacted statutory changes transferring the duties and responsibilities of the Barrier Free Design Board, which is being phased out, to a standing committee of the Building Codes Council are carried out by promulgation of regulations, to delete obsolete and redundant language and language that is covered in other statutes, and to renumber and reletter remaining language in the current regulation.

Legal Authority: Statutory Authority: 1976 Code Sections 40-1-40, 10-5-220, et. seq.

Plan for Implementation: Administratively, the Board will see that these provisions are implemented by informing the licensees through written and oral communications and newsletters.

**DETERMINATION OF NEED AND REASONABLENESS BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:** These regulations need revision in order to comply with the new statutory requirements and procedures.

**DETERMINATION OF COSTS AND BENEFITS:** There will be no additional cost incurred by the State or its political subdivisions.

**UNCERTAINTIES OF ESTIMATES:** There are no uncertainties of estimates concerning these regulations.

**EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:** These regulations will have no effect on the environment and public health of this State.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NO IMPLEMENTED:** These regulations will have no detrimental effect on the environment and public health of this State if the regulations are not implemented in this State.

### **Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.net/regnsrch.htm>. If you do not have access to the Internet, the text may be obtained from the promulgating agency.

Document No. 2729  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**BOARD OF PHARMACY**  
CHAPTER 43

Statutory Authority: 1976 Code Sections 40-43-10 et seq.

### **Preamble:**

The Board of Pharmacy is proposing to add one additional permit under the "Facility Permits" classification. The new regulation amends Regulation 99-43 to add "Non-Resident Wholesale Distributor as a facility permit classification.

Section by Section Discussion: The following new regulation will be added to the current regulations.

Regulation 99-43. Permit Classification

This amended addition will establish fees for a new Non-Resident Wholesale Distributor.

**Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(b) of the 1976 Code, as amended, such hearing will be conducted at the Administrative Law Judge Division at Division at 9:00 a.m. on Tuesday, April 16, 2002. Written comments may be directed to Mr. Tom Wilcox, Administrator, Board of Pharmacy, SC Department of Labor, Licensing and Regulation, Post Office Box 11927, Columbia, South Carolina 29211-1927 no later than 5:00 p.m., on Monday, March 25, 2002.

**Preliminary Fiscal Impact Statement:** There will be no additional cost incurred by the State or any political subdivision.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION:

Purpose: To establish a fee for the new Non-Resident Wholesale Distributor as required by § 40-1-50 (D).

Legal Authority: Statutory Authority: 1976 Code Title 40, Chapter 43, Section 86 and title 40, Chapter 1, section 50.

Plan for Implementation: Administratively, the Board will see that this is implemented by informing pharmacists, permit holders and technicians through written communications, newsletters and the internet. The Board will also see that the regulation is enforced through audits.

DETERMINATION OF NEED AND REASONABLENESS BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

DETERMINATION OF COSTS AND BENEFITS: There will be no additional cost incurred by the State or any political subdivision. The expected benefit is that the Board of Pharmacy will fulfill the mandate to be self-supporting.

UNCERTAINTIES OF ESTIMATES: There are no uncertainties of estimates concerning this regulation.

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH: This regulation will have no effect on the environment and public health of this State.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: This regulation will have no detrimental effect on the environment and public health of this State if the regulation is not implemented in this State.

**Text:**

99-45. Fees

The fee for a new Non-resident Wholesale Distributor shall be five hundred (\$500.00). The annual renewal fee for this permit shall be five hundred (\$500.00).



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Resubmitted April 17, 2001

Document No. 2567  
**DEPARTMENT OF EDUCATION**  
CHAPTER 43

Statutory Authority: S.C. Code Ann Sections 59-5-60 (1990)

Article 3

Requirements for Teacher Education and Certification Regulations

43-62. Requirements for Additional Areas of Certification.

**Synopsis:** The regulation specifies the grade span for teaching certificates and provides the requirements for additional areas of certification and divides certification into four sections by amending and codifying.

**Instructions:** Amend and replace in its entirety Regulation 43-62, Requirements for Additional Areas of Certification in Chapter 43 of regulations and amend Article 3, Table of Contents.

**Text:** R 43-62. Requirements for Additional Areas of Certification.

A. In the event that the State Board of Education should revise or adopt new certification areas, currently certified individuals who are affected may retain the areas of certification for which they previously qualified. The State Board of Education may require previously certified individuals to upgrade their certification by completing the new requirements within a specified period of time.

B. The State Board of Education will replace the individual course requirements for certification with standard-based teacher certification requirements by July 1, 2003.

### C. CERTIFICATION GRADE SPANS

The following designations apply to the grade spans for teacher certification in South Carolina, effective July 1, 2002. The State Department of Education will begin issuing certificates with the new grade spans beginning October 1, 2001.

|                 |   |                         |
|-----------------|---|-------------------------|
| early childhood | = | prekindergarten–grade 3 |
| elementary      | = | grades 2–6              |
| middle level    | = | grades 5–8              |
| secondary       | = | grades 9–12             |

The areas of art, music, physical education, English as a second language (ESL), foreign languages, theater, and special education (all categories) have a prekindergarten (preK)–12 grade span.

D. Certification is divided into four sections: regular program (43-62.1), exceptional children education (43-62.2), career and technology (43-62.3), education (43-62.4), and other types of specialized certification.

R 43-62.1. Regular Program Add-on Certification.

The following areas are included:

|                             |                   |
|-----------------------------|-------------------|
| A Art                       | L Mathematics     |
| B Driver Education          | M Media           |
| C Early Childhood Education | N Middle Level    |
| D Elementary Education      | O Music Education |

- |   |                               |   |                    |
|---|-------------------------------|---|--------------------|
| E | English                       | P | Physical Education |
| F | English as a Second Language  | Q | Reading            |
| G | Fine Arts                     | R | Science            |
| H | Foreign Languages             | S | Social Studies     |
| I | Gifted and Talented Education | T | Speech and Drama   |
| J | Guidance (School) Counselor   | U | Theater            |
| K | Health Education              |   |                    |

A. ART

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Art History/Appreciation  | 6              |
| Work devoted to the basic techniques of design and color  | 6              |
| Work devoted to drawing and painting (the student should use as many different media as possible) | 6              |
| School art program  | 3              |
| Crafts  | 3              |

B. DRIVER EDUCATION

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Evidence of at least three years of successful driving experience. An applicant whose driver's license has six or more points against it will not be accepted for add-on certification.
4. Driver's license issued by South Carolina or a contiguous state in which the teacher is a legal resident. (In case a teacher holding a valid endorsement to teach driver education has his or her driver's license revoked or suspended, the teacher's endorsement in Driver Education will automatically be rescinded.
5. Professional education

The following six (6) hours will be used to add the initial endorsement only. These hours are not applicable for renewal of the basic certificate to which driver education is added.

|  |                |
|--|----------------|
|  | Semester Hours |
| Basic instructor's course in driver education    | 3              |
| Advanced instructor's course in driver education | 3              |

6. The initial endorsement will be issued for a period of five years. To retain the endorsement, within five years a teacher must have completed at least two additional courses of three semester hours that are directly related to teaching driver education or traffic safety education.

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Examples of such courses are

Range and Simulation of Driver Education  
Emergency Maneuvers  
Multimedia Systems in Traffic Safety Education  
Research Methods in Traffic Safety Education  
General Safety  
Drugs in Relation to Highway Safety  
Motorcycle Safety Education  
Administration of Traffic Safety Education

### C. EARLY CHILDHOOD EDUCATION

1. Bachelor's degree
2. Professional certificate at the elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

| 4. Specialized preparation  | Semester Hours |
|---|----------------|
| The Behavior and Development of the Young Child*                                      | 3              |
| Curriculum for Early Childhood Education  | 3              |
| Methods and Materials for Early Childhood   | 3              |
| Practicum in Early Childhood Education**<br>(including observation and participation) | 3              |

\* Credits earned in the area of child psychology are acceptable.

\*\* Credits earned in student teaching in the elementary school are acceptable.

### D. ELEMENTARY EDUCATION

1. Bachelor's degree
2. A professional certificate in early childhood, middle school, or secondary level education
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

| 4. Specialized preparation                    | Semester Hours |
|---|----------------|
| Teaching of Reading in the Elementary School  | 3              |
| Child Growth and Development                  | 3              |
| Mathematics for the Elementary School Teacher | 3              |
| One of the following courses:                 | 3              |
| Literature for Children                       |                |
| Art for the Elementary School Teacher         |                |
| Music for the Elementary School Teacher       |                |
| Health for the Elementary School Teacher      |                |

E. ENGLISH

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|  |                |
|--|----------------|
| 4. Specialized preparation                 | Semester Hours |
| Language Structure and Skills              |                |
| Composition and Rhetoric                   | 6              |
| Advanced Composition and Rhetoric          | 3              |
| Development of Modern English              | 3              |
| Modern English Grammar                     | 3              |
| Teaching of Reading (Secondary) Literature | 3              |
| British Literature                         | 3              |
| American Literature                        | 3              |
| Adolescent Literature                      | 3              |
| Literary Criticism                         | 3              |
| Electives                                  | 6              |

5. Endorsement in Applied Communications 3 and 4 requires the successful completion of the requisite Applied Academic Institute.

6. Endorsement in Advanced Placement English requires the successful completion of the requisite Advanced Placement Institute.

7. Endorsement in International Baccalaureate English requires the successful completion of the requisite International Baccalaureate Institute.

F. ENGLISH AS A SECOND LANGUAGE

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Specialized preparation Semester Hours

|  |   |
|--|---|
| Principles and Strategies for Teaching English as a Second Language (ESL) to Elementary and Secondary Learners | 3 |
| Linguistic/Cultural Diversity in Education or the equivalent   | 3 |
| Teaching Reading and Writing to Limited English Proficient (LEP) Learners                                      | 3 |
| Practicum in the Instruction of ESL to Elementary and Secondary Learners                                       | 3 |
| Three electives from the following courses:  | 9 |
| Testing/Assessment for Language Minority Learners  |   |
| ESL Curriculum Design and Materials Development  |   |
| Teaching English through the Content Areas   |   |
| Bilingual Special Education  |   |

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### Second Language Acquisition for Teachers of Elementary and Secondary Learners English Grammar/Structure

4. Second-language learning experiences documented by any one of the following:
  - a. six semester hours in a single second language;
  - b. completion of intensive language training by the Peace Corps, the Foreign Service Institute, or the Defense Language Institute;
  - c. placement in a third-year-level course in the foreign language department at an accredited college or university; or
  - d. demonstration of second-language proficiency in a language that is unavailable at accredited institutions through verification in writing from an official who is designated by the SDE.

### G. FINE ARTS

1. Teachers for advanced fine arts programs who do not meet the requirements for certification in any existing area of certification may be issued a special teaching credential if all of the following requirements are met:

- a. The school district has in operation an advanced program in the fine arts that has been approved by the State Department of Education.
- b. The school district superintendent requests certification for the prospective teacher in writing, describing the situation in which the teacher will work and the exact nature of the proposed duties of the teacher.
- c. The candidate has earned an undergraduate or graduate degree from a nationally or regionally accredited institution of higher education or an institution that has programs approved for teacher education by the South Carolina State Board of Education in the area of the fine arts that the teacher is to teach.
- d. The candidate presents evidence of at least two years of successful professional experience in the area of the fine arts that he or she is expected to teach.
- e. The candidate presents an acceptable score(s) on the appropriate teaching specialty-area examination(s).

2. The initial certificate will be issued for one year. It can be renewed twice. A total of twelve (12) semester hours of credit, which includes teaching methods and psychology of learning in graduate professional education, will be required for full certification. Renewal of the professional certificate requires six (6) semester hours of graduate credit in professional education or in the area of the fine arts that the teacher is teaching.

3. The bachelor's degree teaching credential may be advanced to the master's degree or doctoral level upon presentation of the appropriate degree earned in the same area of the fine arts as the bachelor's degree and six (6) semester hours of graduate professional education credit. Advanced degrees must be earned from an institution of higher education having a graduate program that is accredited by a regional or national accrediting agency.

H. FOREIGN LANGUAGES (French, German, Japanese, Latin, Spanish, and Russian)

1. Bachelor’s degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|                               |                |
|-------------------------------|----------------|
| 4. Specialized preparation    | Semester Hours |
| (one foreign-language field)* |                |
| French                        | 18             |
| German                        | 18             |
| Latin                         | 18             |
| Spanish                       | 18             |
| Russian                       | 18             |
| Japanese                      | 18             |

\* The eighteen (18 ) semester hours must be above the six-hour introductory course. A maximum of three (3) hours of credit per year, for a total of nine (9) hours, may be awarded for full-time teaching of the foreign language.

5. Endorsement in an Advanced Placement foreign language requires the successful completion of the requisite Advancement Placement Institute.

6. Endorsement in an International Baccalaureate foreign language requires the successful completion of the requisite International Baccalaureate Institute.

I. GIFTED AND TALENTED EDUCATION

1. Bachelor’s degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Requirements for elementary level:  |                |
| Nature and Needs of Gifted and Talented Students                            | 3              |
| Introduction to Curriculum and Instruction for Gifted and Talented Students | 3              |
| Advanced Curriculum Practices for Gifted and Talented Students              | 3              |
| Identification, Current Trends, and Issues in Gifted and Talented Education | 3*             |
| Special Topics in Gifted and Talented Education                             | 3*             |
| Practicum in Gifted and Talented Education                                  | 3              |

Requirements for middle level:

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|   |    |
|---|----|
| Nature and Needs of Gifted and Talented Students                            | 3  |
| Introduction to Curriculum and Instruction for Gifted and Talented Students | 3  |
| Advanced Curriculum Practices for Gifted and Talented Students              | 3  |
| Content-area courses at the graduate level                                  | 9* |

For middle school teachers, content-area courses at the graduate level must be applicable to curriculum and instruction at the middle school level.

Requirements for secondary level:

|   |    |
|---|----|
| Nature and Needs of Gifted and Talented Students                            | 3  |
| Introduction to Curriculum and Instruction for Gifted and Talented Students | 3  |
| Advanced Curriculum Practices for Gifted and Talented Students              | 3  |
| Content-area courses at the graduate level                                  | 9* |

For high school teachers, content-area courses at the graduate level must be applicable to curriculum and instruction at the high school level.

\*Teachers may take a three-hour graduate course or the equivalent in recertification credit.

### 5. Gifted and Talented Endorsement

In order to fulfill Regulation 43-220(II)(C), all teachers of a Gifted and Talented course or class must complete a training program that is approved by the State Department of Education. Completion of the training specified here fulfills this requirement and provides an endorsement in Gifted and Talented Education:

a professional certificate in the teaching area and six (6) hours in the following courses: "Nature and Needs of Gifted and Talented Students" and "Introduction to Curriculum and Instruction for Gifted and Talented Students."

For those teachers with experience in Gifted and Talented Education, there are several paths leading to an endorsement. A two-year phase-in period is provided to allow experienced teachers to meet the endorsement requirements. This period ends August 31, 2002. The requirements and options are as follows.

### 6. Required for all teachers:

- a. Professional certificate in the teaching area
- b. Three (3) credit hours in "Nature and Needs of Gifted and Talented Students"

OR

c. Three (3) credit hours in "Introduction to Curriculum and Instruction for Gifted and Talented Students" AND one of the following options:

- d. verification of three years of successful teaching experience in Gifted and Talented Education **or**

e. an advanced degree in Gifted and Talented Education (a master’s degree, specialist, and/or a doctorate).

J. GUIDANCE (SCHOOL) COUNSELOR

1. Master’s degree in an approved program
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on South Carolina State Board of Education required specialty-area examination(s)

K. HEALTH EDUCATION

1. Bachelor’s degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score on the State Board of Education required examination.

|  |                |
|--|----------------|
| 4. Specialized preparation   | Semester Hours |
| Human Anatomy and Physiology (required<br>in addition to the 12 semester hours of<br>basic science requirements) | 3–4            |
| School Health Program (required)   | 2–3            |
| Emergency Preparedness and First Aid (required)  | 2–3            |
| Environmental Health   | 2–3            |
| Foods and Nutrition Education  | 2–3            |
| Contemporary Health Problems   | 2–3            |
| Drug Education and Drug-Taking Behaviors   | 2–3            |
| Family Living and Sex Education  | 2–3            |
| Mental Health  | 2–3            |
| Valuing and Decision Making in Health Education  | 2–3            |
| Consumer Health Education  | 2–3            |
| Community and Public Health Practices  | 2–3            |
| Chronic and Communicable Disease   | 2–3            |

Additional courses will be selected from a minimum of three (3) additional areas for a total of twenty-four (24) semester hours.

L. MATHEMATICS

1. Bachelor’s degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)
4. Specialized preparation Semester Hours



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|   |   |
|---|---|
| Algebra (abstract, matrix, and linear)            | 6 |
| Modern Geometry                                   | 3 |
| Analytic Geometry                                 | 3 |
| Calculus  | 3 |
| Three electives from the following subject areas: | 9 |
| probability                                       |   |
| statistics  |   |
| applied mathematics                               |   |
| number theory                                     |   |
| computer science                                  |   |
| analysis  |   |
| history of mathematics                            |   |
| algebra or geometry (advanced courses)            |   |

5. Endorsement in Mathematics for the Technologies requires the successful completion of the requisite Applied Academic Institute.

6. Endorsement in Advanced Placement Mathematics requires the successful completion of the requisite Advanced Placement Institute.

7. Endorsement in International Baccalaureate Mathematics requires the successful completion of the requisite International Baccalaureate Institute.

#### M. MEDIA

##### 1. Media Communications Specialist

a. Bachelor's degree

b. Professional certificate at the early childhood, elementary, middle school, or secondary level

c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

d. Specialized preparation (see below)\*

Semester Hours

|  |   |
|--|---|
| Practicum in Media Center  | 6 |
| Special Methods of Media Instruction<br>and Instructional Design | 3 |
| Audio Recording  | 3 |
| Photographic Reproduction  | 3 |
| Cinematography   | 3 |
| Graphics   | 3 |
| Television in Education  | 3 |
| Administration and Management of School Media Programs           | 3 |
| Preventive and Routine Maintenance of Media Equipment            | 3 |
| Electives in related media communications                        | 6 |

\*Descriptions of specialized courses:

“Special Methods of Media Instruction and Design.” Utilization of various media formats in the school situation. Introduction to the various technologies. Curriculum development and the role of media in the instructional process.

“Audio Recording.” Techniques of production, utilization, and storage of audio materials. Selection and evaluation of related equipment.

“Photographic Reproduction.” Production, utilization, and storage of prints, slides, and other projective media. Selection and evaluation of related equipment.

“Cinematography.” Producing informational films. Storage and utilization of films. Teaching film production and animation techniques. Selection and evaluation of related equipment.

“Graphics.” Production, utilization, and storage of graphic artwork in media productions and presentations. Selection and evaluation of selected equipment.

“Television in Education.” Production, utilization, and storage of television equipment and externally produced materials.

“Administration and Management of School Media Programs.” Function and organization of the school media center and program. Emphasis on the philosophy, principles, and purposes of media program management and on researching and evaluating media programs.

“Preventive and Routine Maintenance of Media Equipment.” Emphasis on problem identification, simple repair, and servicing of media equipment.

Electives. Additional work in one of the areas described, with free choice strengthening special needs or interests of the media specialist.

2. Media Specialist

a. Bachelor’s degree

b. Professional certificate at the early childhood, elementary, middle school, or secondary level

c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

d. Specialized preparation (see below)\*

Semester Hours

|  |   |
|--|---|
| Practicum in Media Center**  | 6 |
| Administration and Management of School Media Programs   | 3 |
| Selection and Utilization of Media, Print and Nonprint   | 6 |
| Acquisition and Organization of Print and Nonprint Media   | 3 |
| Information Sources and Services (including references)  | 3 |
| Graphic and Photographic Media (audio and video)   | 3 |
| Electronic Media   | 3 |
| Preventive and Routine Maintenance of Media Equipment  | 3 |
| Electives (two additional courses in areas such as electronic media, graphics, media equipment, information sources, print and nonprint materials) | 6 |

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\*\*The practicum in the media center will include experience both in the center itself and in the classroom.

\*Descriptions of specialized courses:

“Administration and Management of School Media Programs.” Function and organization of the school media center and its program. Emphasis on the philosophy, principles, and purposes of media program management and on researching and evaluating media programs.

“Selection and Utilization of Media, Print and Nonprint.” Development and application of criteria for media selection, utilization of selection tools and bibliographies, and evaluation of resource collections. Giving guidance and interpretation to staff, relating media services to instructional program, and evaluating instruction packages and materials.

“Acquisition and Organization of Print and Nonprint Media.” Sources of materials for school media centers, processes of acquisition and collection building. Systems of indexing and organizing collections, classification systems and processes of subject analysis, cataloging.

“Information Sources and Services.” Information needs in society; interpersonal information exchange. Information materials; specialized information services and support agencies. Bibliographic control and services; reference materials; interpretation for users.

“Graphic and Photographic Media.” Design, production, storage, and integration of graphic and photographic media (print, charts, graphs, transparencies, slides, etc.) into the instructional program.

“Electronic Media.” Design, production, storage and integration of electronic media (videotape, audiotape, recorders, discs, computers, etc.) into the instructional program.

“Preventive and Routine Maintenance of Media Equipment.” Emphasis on problem identification, simple repair, and servicing of media equipment.

Electives. Additional work in one of the areas described, with free choice strengthening special needs or interests of the media specialist. School media specialists will find courses in children’s literature and young people’s literature essential.

### 3. Media Supervisor

a. Master’s degree

b. Certification as elementary or secondary supervisor

c. Valid South Carolina teaching credential with endorsement certification as a media communication specialist or media specialist

d. Three years successful experience as a media specialist or media communication specialist in a school media center

e. A total of six (6) semester hours of graduate credit in the supervision of school media programs and in researching and evaluating school media programs.

f. Suggested content to be included in the course work in the supervision of school media programs:

planning and implementation of staff development program, selection, evaluation, retention, promotion, and dismissal of media personnel, and coordination of district media programs.

g. Suggested content to be included in the course work in the researching and evaluating of school media programs:

principles of evaluation design and implementation, evaluation of services, in terms of basic objectives, and personnel evaluation processes, methods of data collection, analysis, and interpretation.

N. MIDDLE LEVEL

1. Bachelor's degree
2. Professional certificate in early childhood education, elementary education, or secondary education
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

Teachers who hold a professional certificate (someone who has taught at least two years and successfully completed the formal evaluation during the annual contract year) and who have three or more years of experience teaching in middle grades on or before October 1, 2006, will be awarded middle grades certification in each subject area in which he or she has three or more years of successful experience according to the State Board of Education adopted guidelines for Middle Grades Teacher Education and Certification.

Prior to October 1, 2006, teachers who are adding middle grades certification will be exempt from the subject area exams and the Principles of Learning and Teaching (middle grades test) required for initial certification. After October 1, 2006, teachers must take the Praxis subject area exam(s) and the Principles of Teaching and Learning test required by the State Board of Education in order to add subject-specific middle grades certification. Teachers who have a teaching certificate but do not have three (3) or more years of experience must complete the additional requirements for add-on certification in middle grades before October 1, 2006. Anyone teaching in a middle grade must have middle grades certification by October 1, 2008.

4. Elementary or Early Childhood School Teachers Adding Middle School

| a. Specialized preparation   | Semester Hours |
|--|----------------|
| Middle-Level Curriculum and Organization   | 3              |
| philosophy, integrated curriculum, guidance, interdisciplinary teams, departmental and interdisciplinary organizations, scheduling, group dynamics, advisor-advisee, exploratory, collaboration, classroom management, and cooperative learning techniques |                |
| Early Adolescent Growth and Development and Learning Communities   | 3              |
| physical, psychosocial, emotional, intellectual, moral   |                |

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characteristics; individual needs in context of family;  
social issues and community

Teaching Reading and Writing in the Content Area 3

### b. Content preparation

Required credits for certification in one middle school field as listed below.

## 5. Secondary School Teachers Adding Middle Level

### a. Specialized preparation Semester Hours

Middle-Level Curriculum and Organization 3

philosophy, integrated curriculum, guidance,  
interdisciplinary teams, departmental and  
interdisciplinary organizations, scheduling,  
group dynamics, advisor-advisee, exploratory,  
collaboration, classroom management,  
and cooperative learning techniques

Early Adolescent Growth and Development and  
Learning Communities 3

physical, psychosocial, emotional, intellectual, moral  
characteristics; individual needs in context of family;  
social issues and community

Teaching Reading and Writing in the Content Area 3

### b. Content preparation

Required credits for certification in one middle school fields as listed below.

## 6. Middle-Level Science\* Semester Hours

Methods in Middle-Level Science\*\* 3

Biological or life science course and laboratory 8

Earth and space science course and laboratory 8

Physical science (equally divided between physics and chemistry) 8

Reading and Writing in the Content Area 3

\* The South Carolina Science Standards must be reflected in the specialized preparation.

\*\*Three years of successful teaching experience in middle level science may be used in lieu of this requirement.

## 7. Middle-Level Mathematics\* Semester Hours

Algebra 3

with an emphasis on functions, applications, and basic right-triangle trigonometry, including the use of manipulatives and technology such as graphing calculators and calculator-based laboratories

Plane and Solid Geometry

from an inductive approach, using manipulatives and technology components such as *Geometer's Sketchpad*; deductive reasoning and justification should also be included 3

Probability and Statistics

(appropriate to middle-level and secondary-level curriculum) 3

Computers (utilization of computers and applications) 3

Classroom Assessment in Mathematics 3

Methods of Teaching Middle-Level Mathematics\*\* 3

Three electives in the following subject areas: 9

- theory of arithmetic
- number theory
- integrated mathematics
- discrete mathematics
- calculus
- mathematical applications in science and social studies
- immersion in problem solving

\* The South Carolina Mathematics Standards must be reflected in the specialized preparation.

\*\*Three years of successful teaching experience in middle-level mathematics may be used in lieu of this requirement.

8. Middle-Level Social Studies\* Semester Hours

Methods of Teaching Social Studies\*\* 3

World History or World Geography 3

South Carolina History or U.S. History 3

Government 3

Three electives in the following subject areas: 9

- anthropology
- economics
- political science/civics
- geography
- sociology

\* The South Carolina Social Studies Standards must be reflected in the specialized preparation.

\*\*Three years of successful teaching experience in middle-level social studies may be used in lieu of this requirement.

9. Middle-Level Language Arts (see below)\* Semester Hours

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|  |   |
|--|---|
| Methods of Teaching Middle-Level Language Arts**<br>(course includes addressing the instructional needs of below-grade-level readers and writers, developing and using information reading and language arts assessment tools, and integrated instruction and assessment in language arts) | 3 |
| Adolescent Literature  | 3 |
| World Literature   | 3 |
| American Literature  | 3 |
| English Literature   | 3 |
| Reading: Diagnosis and Remediation   | 3 |
| Writing Theory in Practice<br>(course includes writing instruction, grammar usage in context, content reading and writing, and authentic experiences based on real-world application)  | 3 |
| Electives in the following subject areas:<br>speech<br>media literacy<br>composition and rhetoric.   | 9 |

\*Descriptions of specialized courses:

“Modern Grammar.” A study of grammatical analysis incorporating at least two grammars.

“Adolescent Literature.” A critical study of the literature that is relevant to the adolescent, incorporating major literary genres and appropriate media.

“Addressing the Instructional Needs of the Below-Grade-Level Readers and Writers.” The study of how students develop as readers and writers and of the practices that accelerate student reading and writing growth.

“Reading, Diagnosis and Remediation.” The study of the nature and causes of reading difficulties, the methods and practices for diagnosis of reading difficulties. Remedial treatment in the formative stages and in more complex cases.

“Developing and Using Informative Reading/Language Arts Assessment Tools.” A critical study of informal and formal classroom assessment tools, their uses and development. Method of gathering and interpreting results to meet the needs of individual students.

\* The South Carolina Language Arts Standards must be reflected in the specialized preparation.

\*\*Three years of successful teaching experience in middle-level language arts may be used in lieu of this requirement.

Participation in the South Carolina Writing Project course or other open institute course meets “Addressing the Instructional Needs of the Below-Grade-Level Readers and Writers” requirement. Institute courses are approved and available at Coastal Carolina University, Winthrop University, USC-Spartanburg, USC-Columbia, Clemson University, the Citadel, and Francis Marion University.

### O . MUSIC EDUCATION

#### 1. CHORAL

- a. Bachelor's degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

| d. Specialized preparation                              | Semester Hours              |
|---|-----------------------------|
| Applied Music (divided equally between piano and voice) | 18<br>(or three full years) |
| Theory (harmony, ear training, sight singing)           | 12                          |
| Conducting  | 4                           |
| History and/or Literature of Music**                    | 6                           |
| Instruction in wind, string, and percussion instruments | 2<br>(or two semesters)     |
| Participation in ensembles (large or small)             | three full years            |

\*\*The History and/or Literature of Music requirement may substitute for the Music Appreciation requirement in the General Education Program.

Note: A minimum of two half-hour lessons or one one-hour lesson per week for the full nine-month school year is accepted as one full year in any one area of Applied Music.

e. Endorsement in Advanced Placement Music requires the successful completion of the requisite Advanced Placement Institute.

f. Endorsement in International Baccalaureate Music requires the successful completion of the requisite International Baccalaureate Institute.

2. INSTRUMENTAL

- a. Bachelor's degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

| d. Specialized preparation (band or orchestra)  | Semester Hours              |
|---|-----------------------------|
| Applied music (divided equally among piano, one additional major instrument, and two additional instruments families) | 18<br>(or three full years) |
| Theory (harmony, ear training, sight singing)   | 12                          |
| Conducting  | 4                           |
| History and/or Literature of Music**  | 6                           |
| Instruction in wind, string and percussion instruments and in voice   | 2<br>(or two semesters)     |
| Participation in ensembles (large or small)   | three full years            |



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\*\*The History and/or Literature of Music requirement may substitute for the Music Appreciation requirement in the General Education Program.

Note: A minimum of two half-hour lessons or one one-hour lesson per week for the full nine-month school year is accepted as one full year in any one area of Applied Music.

e. Endorsement in Advanced Placement Music requires the successful completion of the requisite Advanced Placement Institute.

f. Endorsement in International Baccalaureate Music requires the successful completion of the requisite International Baccalaureate Institute.

### 3. PIANO, VOICE, VIOLIN

a. Bachelor's degree

b. Professional certificate at the early childhood, elementary, middle school, or secondary level

c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

d. Specialized preparation (band or orchestra) Semester Hours

|  |                    |
|--|--------------------|
| Applied music (piano, voice, violin, organ)            | 18                 |
| Theory (harmony, ear training, sight singing)          | 12                 |
| Conducting   | 4                  |
| History and/or Literature of Music**                   | 6                  |
| Instruction in Wind, String and Percussion Instruments | 2                  |
|  | (or two semesters) |

Participation in ensembles (large or small) three full years

\*\* The History and/or Literature of Music requirement may substitute for the Music Appreciation requirement in the General Education Program.

Note: A minimum of two half-hour lessons or one one-hour lesson per week for the full nine-month school year is accepted as one full year in any one area of applied music.

### P. PHYSICAL EDUCATION

1. Bachelor's degree

2. Professional certificate at the early childhood, elementary, middle school, or secondary level

3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

4. Specialized preparation\* Semester Hours

|   |   |
|---|---|
| History, Principles, or Philosophy of Physical Education      | 3 |
| Organization and Administration, Curriculum, or Evaluation of |   |

|                                  |    |
|----------------------------------|----|
| Physical Education               | 3  |
| Human Physiology and Anatomy**   | 3  |
| Materials and applied techniques | 21 |

\* Exclusive of all service courses.

\*\* In addition to the twelve (12) semester hours of the basic science requirements.

5. Content preparation

a. These two courses—one in the history, principles, or philosophy of physical education and one in the organization and administration, curriculum, or evaluation in physical education—should include the historical background of the physical education program as a basis for understanding the present program; the underlying principles, aims and objectives; the problems relating to the setting up and conducting of the program, including curriculum building, planning, use of facilities, and evaluation.

b. Materials and applied techniques

This area involves multiple courses that require an understanding and mastery of the techniques of the various activities and their presentation and adaptation to the various age levels and groups.

Required courses:

- Games and Rhythms for the Elementary School–Aged Child
- Individual and Dual Sports
- Intramurals and Interscholastic Sports
- Movement Education
- Recreation and Outdoor Education
- Team Sports

Elective courses:

- Adapted Physical Education (exceptional or atypical children)
- Aquatics and Water Sports
- Stunts, Tumbling, and Gymnastics
- Rhythms
- Safety, First Aid, and Athletic Injuries
- Games and Activities of Low Organization

Q. READING

1. READING TEACHER

- a. Bachelor’s degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)
- d. Two years of successful teaching experience
- e. Specialized preparation

|   |                |   |
|---|----------------|---|
| Fundamentals of Basic Reading Instruction | Semester Hours | 3 |
|---|----------------|---|

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|  |   |
|--|---|
| Diagnosis and Correction of Reading Difficulties | 3 |
| Practicum in Reading                             | 3 |
| Methods and Materials of Reading Instruction     | 3 |

### 2. READING CONSULTANT

- a. Bachelor's degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)
- d. Five years of successful teaching experience
- e. Twelve (12) semester hours in courses required for Reading Teacher

|  |                |
|--|----------------|
| f. Specialized preparation                       | Semester Hours |
| Organization and Supervision of Reading Programs | 3              |
| Testing and Measurements                         | 3              |
| Educational Psychology                           | 3              |
| Reading in the Secondary School                  | 3              |

### 3. READING COORDINATOR OR DIRECTOR

- a. Bachelor's degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the South Carolina State Board of Education required examination(s)
- d. Five years of successful teaching experience
- e. Twenty-four (24) semester hours in courses specified for Reading Teacher and Reading Consultant

|                                |                |
|--------------------------------|----------------|
| f. Specialized preparation     | Semester Hours |
| Administration and Supervision | 3              |
| Curriculum Development         | 3              |
| Fundamentals of Guidance       | 3              |

### 4. READING CLINICIAN

- a. Bachelor's degree
- b. Professional certificate at the early childhood, elementary, middle school, or secondary level
- c. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

- d. Two years of successful teaching experience
- e. Thirty-six (36) semester hours in courses specified for Reading Teacher, Reading Consultant, and Reading Coordinator or Director

|  |                |
|--|----------------|
| f. Specialized preparation   | Semester Hours |
| Advanced Clinical Testing, including individual intelligence testing | 3              |
| Exceptional Child  | 3              |
| Personality and Abnormal Psychology                                  | 3              |
| Psychology of Reading  | 3              |
| Advanced Course in Remedial Reading                                  | 3              |
| Advanced Practicum   | 3              |

R. SCIENCE

- 1. Bachelor’s degree
- 2. Professional certificate at the early childhood, elementary, middle school, or secondary level
- 3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|  |                |
|--|----------------|
| 4. Specialized preparation<br>(for teaching all sciences in high school) | Semester Hours |
| Biology  | 6–8            |
| Chemistry  | 6–8            |
| Physics  | 6–8            |
| Marine Biology/Science   | 6–8            |
| Electives in the following subject areas:**                              | 6–12           |
| biology  |                |
| chemistry  |                |
| physics  |                |
| geology  |                |
| geography  |                |
| astronomy  |                |

\*\*At least eighteen (18) semester hours of the thirty (30) semester hours must be in courses with laboratory.

Certification will be granted in any one of the specific sciences for which at least twelve (12) semester hours of credit are presented when six or more are in laboratory courses.

- 5. Endorsement in Applied Biology, Applied Chemistry, and Applied Physics for the Technologies requires the successful completion of the requisite Applied Academic Institute.
- 6. Endorsement in the Advanced Placement sciences requires the successful completion of the requisite Advanced Placement Institute.
- 7. Endorsement in the International Baccalaureate sciences requires the successful completion of the requisite International Baccalaureate Institute.

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### S. SOCIAL SCIENCES

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

4. Specialized preparation Semester Hours  
(for teaching all social studies in high school)

a. Social studies

|  |    |
|--|----|
| U.S. History   | 6  |
| European History   | 6  |
| Electives from economics, government, geography, and sociology (not more than 6 hours in any one field)      | 12 |
| Electives from economics, geography, government, history, psychology, sociology, and the history of religion | 6  |

b. History

|  |   |
|--|---|
| U.S. History                             | 6 |
| European History                         | 6 |
| Electives from history and/or government | 6 |

- c. One social studies field 12

Certification will be granted in any one of the specific subjects—economics, geography, government, psychology, and sociology—for which twelve (12) semester hours are presented.

5. Endorsement in the Advanced Placement social sciences requires the successful completion of the requisite Advanced Placement Institute.

6. Endorsement in the International Baccalaureate social sciences requires the successful completion of the requisite International Baccalaureate Institute.

### T. SPEECH AND DRAMA

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

4. Specialized preparation Semester Hours

|   |   |
|---|---|
| Speech Fundamentals (voice and diction) | 3 |
| Public Speaking                         | 3 |

|   |   |
|---|---|
| Acting  | 3 |
| Dramatic Production                           | 3 |
| Dramatic Literature or History of the Theater | 3 |
| Speech or drama elective                      | 3 |

U. THEATER

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Acting  | 3              |
| Technical Theater (including stagecraft, lighting, costuming, makeup) | 6              |
| Directing   | 3              |
| Dramatic Literature   | 6              |
| History of the Theater  | 3              |
| Creative Drama  | 3              |
| Theater arts elective   | 3              |

Note: In meeting the above requirements, the applicant with training or experience in the professional theater may offer the following substitutions for the courses listed:

a. At least three (3) months full-time or twelve (12) months part-time acting training in a non-degree-granting professional acting school (provided that the school employs at least three different teachers) may be substituted for the acting course.

b. At least six (6) months of full-time employment in technical theater may be substituted for technical theater courses.

c. Experience as director of at least five (5) full-length plays produced for a paying audience may be substituted for the directing course.

d. No professional substitutions for the dramatic literature or theater history courses are acceptable.

R 43-62.2. Exceptional Children Add-on Certification.

The following areas are included:

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| A. Deafness and Hearing Impairment | F. Moderate and Severe Disabilities |
| B. Emotional Disabilities          | G. Speech Language Therapist        |
| C. Learning Disabilities           | H. Visual Impairment                |
| D. Mental Disabilities             | I. Orthopedically Impaired          |
| E. Generic Special Education       |                                     |

General Educators

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Beginning July 1, 2003, teachers who are certified in areas other than exceptional children certification (special education) must complete a minimum of eighteen (18) hours of course work, to include a supervised practicum of one hundred fifty (150) hours of directed teaching with students with disabilities in the category in which the teachers are seeking certification. The course work shall address standards from the core and specialty areas.

### Special Educators

Beginning July 1, 2003, to be certified in an area of special education, individuals must complete a minimum of twelve (12) hours of course work, to include practicum work that consists of a minimum of seventy-five (75) hours of directed teaching with students in the area of specialization. The practicum work may be a separate course or embedded within course work. The twelve (12) hours of course work shall address standards from the core and specialty areas.

The State Board of Education shall adopt transition criteria for the new and revised special education certification by July 1, 2001.

#### A. DEAFNESS AND HEARING IMPAIRMENT (formerly HEARING IMPAIRMENT)

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

| 4. Specialized preparation                                  | Semester Hours |
|---|----------------|
| Introduction to Exceptional Learners/Special Education      | 3              |
| Teaching of Reading   | 3              |
| Methods/Procedures for Teaching Speech Reading              | 3              |
| Psychology of Hearing Impaired                              | 3              |
| Teaching of Language to Students with Hearing Impairment    | 3              |
| Two electives from the following courses:                   | 6              |
| Educational Assessment                                      |                |
| Anatomy of the Auditory and Speech Mechanism                |                |
| History of Education and Guidance for the Hearing Impaired  |                |
| Audiology, Hearing Aids, and Auditory Training              |                |
| Methods of Teaching Elementary School Subjects              |                |
| Principles of Speech Correction                             |                |
| Physical Education and Recreation for the Exceptional Child |                |
| Nature of Emotional Disabilities                            |                |
| Learning Disabilities                                       |                |
| Remedial Reading  |                |
| Practicum in Instruction of the Exceptional Child           |                |
| Introduction to Rehabilitation and Community Services       |                |
| Educational Psychology                                      |                |

#### B. EMOTIONAL DISABILITIES

1. Bachelor's degree

2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Introduction to Exceptional Learners/Special Education            | 3              |
| Characteristics of Emotional Disabilities                         | 3              |
| Methods/Procedures for Emotional Disabilities                     | 3              |
| Behavior Management   | 3              |
| Teaching Reading in General and Special Education                 | 3              |
| Assessment of Exceptional Learners                                | 3              |
| Practicum in Instruction for Students with Emotional Disabilities | 3              |

C. LEARNING DISABILITIES

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

|  |                |
|--|----------------|
| 4. Specialized preparation                                       | Semester Hours |
| Introduction to Exceptional Learners/Special Education           | 3              |
| Characteristics of Learning Disabilities                         | 3              |
| Methods/Procedures for Learning Disabilities                     | 3              |
| Behavior Management  | 3              |
| Teaching Reading in General and Special Education                | 3              |
| Assessment of Exceptional Learners                               | 3              |
| Practicum in Instruction for Students with Learning Disabilities | 3              |

D. MENTAL DISABILITIES (formerly EDUCABLE MENTALLY HANDICAPPED AND TRAINABLE MENTALLY HANDICAPPED)

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

|  |                |
|--|----------------|
| 4. Specialized preparation                             | Semester Hours |
| Introduction to Exceptional Learners/Special Education | 3              |
| Characteristics of Mental Disabilities                 | 3              |
| Methods/Procedures for Mental Disabilities             | 3              |
| Behavior Management                                    | 3              |
| Teaching Reading in General and Special Education      | 3              |
| Assessment of Exceptional Learners                     | 3              |



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Practicum in Instruction for Students with Mental Disabilities 3

**E. GENERIC SPECIAL EDUCATION/ MULTICATEGORICAL SPECIAL EDUCATION**

This area allows teachers to serve learners with mild to moderate disabilities, which include autism, emotional disabilities, learning disabilities, mental disabilities, and traumatic brain injury. Effective July 1, 2003, Generic Special Education will change to Multicategorical Special Education.

- 1. Bachelor’s degree
- 2. Professional certificate in either educable mentally disabled, emotionally mentally disabled or learning disabilities
- 3. Minimum qualifying score(s) on South Carolina State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Introduction to Exceptional Learners/Special Education  | 3              |
| Characteristics of Learning Disabilities  | 3              |
| Characteristics of Mental Disabilities  | 3              |
| Characteristics of Emotional Disabilities   | 3              |
| Methods/Procedures for Learning Disabilities  | 3              |
| Methods/Procedures for Mental Disabilities  | 3              |
| Methods/Procedures for Emotional Disabilities   | 3              |
| Behavior Management   | 3              |
| Assessment of Exceptional Learners  | 3              |
| Practicum in Instruction for Students with Emotional Disabilities, and or, Learning Disabilities, and or, Mental Disabilities | 6              |

OR

- 5. In additional to certification in one area (mental disabilities, emotional disabilities or learning disabilities) coursework is required in each of the two areas other than the teacher’s certification area.

|                       |   |
|-----------------------|---|
| Characteristics       | 6 |
| Methods in Procedures | 3 |
| Practicum             | 3 |

OR

- 6. If certified in two areas (mental disabilities, emotional disabilities or learning disabilities) coursework is required in the one remaining certification area.

|                       |   |
|-----------------------|---|
| Characteristics       | 3 |
| Methods in Procedures | 3 |
| Practicum             | 3 |

**F. MODERATE AND SEVERE DISABILITIES**

This area allows teachers to serve learners with moderate to severe cognitive disabilities, which include mental disabilities, multiple disabilities, orthopedic impairment, autism, traumatic brain injury, and other health impairments. Effective July 1, 2003, this category converts to Severe Disabilities.

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)
4. Specialized preparation Semester Hours

|  |   |
|--|---|
| Introduction to Exceptional Learners/Special Education                           | 3 |
| Characteristics of Severe Disabilities   | 3 |
| Methods/Procedures for Teaching Individuals with Moderate to Severe Disabilities | 3 |
| Behavior Management  | 3 |
| Language/Communication Skills for Exceptional Children                           | 3 |
| Assessment of Exceptional Learners   | 3 |
| Practicum in Instruction for Students with Severe Disabilities                   | 3 |

**G. SPEECH LANGUAGE THERAPIST (formerly SPEECH CORRECTIONIST)**

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)
4. Endorsement of training institution certifying competence in conducting speech therapy in public school settings
5. Specialized preparation Semester Hours

|  |    |
|--|----|
| Directed teaching in speech correction<br>(clinical practicum: two hundred [200] clock hours under the supervision of a qualified therapist. It is recommended that a minimum of ninety [90] hours of the practicum be obtained in a public school setting.) | 6  |
| Basic area:<br>anatomy, physiology, mechanics, and function of the ear and vocal mechanism* (required)<br>phonetics<br>semantics<br>speech and voice science<br>psychology of speech<br>experimental phonetics   | 6  |
| Speech pathology and/or correction courses:  | 12 |

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stuttering\*  
 articulation—physical and psychogenic causes  
 and correction\*  
 voice disorders  
 cleft palate  
 aphasia  
 cerebral palsy  
 psychogenic speech problems  
 pathological speech problems

\* Required. Any practicum undertaken in connection with course work in these content areas may be counted in calculating the two hundred (200) clock hours of practicum required in the basic area.

|                                      |   |
|--------------------------------------|---|
| Audiology                            | 3 |
| Testing of Hearing                   |   |
| Introduction to Audiology            |   |
| Auditory Training                    |   |
| Speech Reading                       |   |
| Speech for the Acoustically Disabled |   |
| Psychology                           | 6 |
| Human Growth and Development         |   |
| Psychology of Adjustment*            |   |
| Abnormal Psychology*                 |   |
| Basic course in public speaking      | 3 |

### H. VISUAL IMPAIRMENT

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation                              | Semester Hours |
| Human Growth and Development or the equivalent          | 3              |
| Teaching of Reading                                     | 3              |
| Nature of Visually Impaired                             | 3              |
| Educational Procedures for Visually Impaired            | 3              |
| Introduction to Exceptional Children                    | 3              |
| Braille – Reading and Writing                           | 3              |
| Orientation and Mobility for the Classroom Teacher      | 3              |
| Practicum in Instruction of the Visually Impaired Child | 3              |
| Anatomy, Physiology, and Function of the Eye            | 3              |

Note: Practicum may be removed with one year of successfully teaching experience with visually impaired children.

### I. ORTHOPEDICALLY IMPAIRED (formerly ORTHOPEDICALLY HANDICAPPED)

Effective July 1, 2003, Orthopedic Impairment will be subsumed under Severe Disabilities. Orthopedically Impaired will no longer be a separate certification area after June 30, 2003.

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the South Carolina State Board of Education required specialty-area examination(s)
4. Courses taken to add this area to an existing certification must be taken at an institution that has a teacher education program approved for initial certification in this subject field.

|   |                |
|---|----------------|
| 5. Specialized preparation  | Semester Hours |
| Introduction to Exceptional Learners/Special Education            | 3              |
| Characteristics of Orthopedic and Chronic Impairments             | 3              |
| Methods/Procedures for Orthopedic Impairments                     | 3              |
| Behavior Management   | 3              |
| Introduction to Rehabilitation and Community Services             | 3              |
| Assessment of Exceptional Learners                                | 3              |
| Practicum in Instruction for Students with Orthopedic Impairments | 3              |

R 43-62.3. Career and Technology Add-on Certification.

The following areas are included:

- A Agriculture
- B Business/Marketing/Computer Technology
- C Computer Programming
- D Family and Consumer Science

A. AGRICULTURE

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)
4. Specialized preparation Semester Hours

a. Agriculture

|  |    |
|--|----|
| Plant sciences (including agronomy, horticulture, and/or forest) | 15 |
| Animal sciences (including dairy or poultry)                     | 6  |
| Agricultural engineering (mechanization)                         | 6  |
| Agricultural economics   | 6  |
| Agricultural sciences electives                                  | 18 |

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### b. One specific Agricultural Education field

|   |    |
|---|----|
| Agricultural mechanics  | 18 |
| Animal science  | 18 |
| Environmental science and natural resources   | 18 |
| Forestry  | 18 |
| Horticulture  | 18 |
| Agriculture sciences electives (required for each of the five required Agricultural Education fields) | 6  |

## B. BUSINESS/MARKETING/COMPUTER TECHNOLOGY

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

### 4. Specialized preparation Semester Hours

|  |   |
|--|---|
| Accounting   | 6 |
| Business Communications  | 3 |
| Business Law   | 3 |
| Computer applications and technology<br>(to include, but not be limited to, word processing, spreadsheets, database management, and Web publishing/multimedia) | 9 |
| Economics  | 3 |
| Entrepreneurship   | 3 |
| Hospitality, Tourism or Hotel/Motel Management   | 3 |
| International Business   | 3 |
| Management   | 3 |
| Marketing  | 3 |
| Instructional Methods for Teaching Business, Marketing, Computer Technology  | 3 |

Note: Individuals currently certified in any of the previous business and/or marketing certifications (Codes 32 and 40–48) in this regulation will immediately become eligible to request that the combined designation be added to their certificates. Individuals who become certified for the first time under the new combined business/marketing/computer technology certification must complete the Computer Programming endorsement in order to teach computer programming.

## C. COMPUTER PROGRAMMING (for Career and Technology Education programming courses)

1. Bachelor's degree
2. Professional certificate at the secondary level in any subject area. Current Business Education certified teachers are certified to teach Computer Programming. Individuals seeking initial certification in business/marketing/computer technology certification after July 1, 2001, are required to add the Computer Programming endorsement in order to teach computer programming.
3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Computer programming (any combination of currently relevant language(s) being used in business) | 9              |

Note: Programming courses completed at the postsecondary level since January 1, 1998, can be counted toward this endorsement even though the courses may have been used for certificate renewal.

D. Family and consumer science (Home Economics)

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level
3. Minimum qualifying score on the State Board of Education required examination

|   |                |
|---|----------------|
| 4. Specialized preparation  | Semester Hours |
| Clothing for the Family   | 6              |
| Food and Nutrition  | 9              |
| Child Development and Family Relations                            | 6              |
| Housing, Home Furnishings and Equipment                           | 3              |
| Consumer Education  | 6              |
| Family and consumer science electives from the following courses: | 6              |
| Food Sciences   |                |
| Gerontology   |                |
| Food Management and Institutional Preparation                     |                |
| Advanced Child Care and Family Relations                          |                |
| Service Learning  |                |
| Human Development and Sexuality                                   |                |

E. HEALTH SCIENCE TECHNOLOGY

1. Bachelor's degree
2. Licensure, certification, or registration as a professional practitioner through a nationally recognized accrediting agency. The credentials of the health care professional must correlate with the area to be taught.
3. Minimum qualifying score on the State Board of Education required examination
4. Specialized preparation

Two years of wage-earning experience in the health care field utilizing the individual's professional licensure, in addition to the experience that is required for one to be registered or certified as a professional practitioner

F. INDUSTRIAL TECHNOLOGY EDUCATION

1. Bachelor's degree
2. Professional certificate at the early childhood, elementary, middle school, or secondary level.

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3. Minimum qualifying score(s) on the State Board of Education required specialty-area examination(s)

4. Specialized preparation Semester Hours

|   |   |
|---|---|
| Transportation  | 6 |
| Communication   | 6 |
| Manufacturing   | 6 |
| Construction  | 6 |
| CAD (computer assisted drafting)  | 3 |
| New and emerging areas of technology<br>such as bio-related technology, computer<br>technology, and designing and problem solving | 9 |

Note: Individuals currently certified in Industrial Arts may qualify for certification in industrial technology education by satisfying requirements specified above under specialized preparation.

R 43-62.4. Other Type of Certification.

Other Certification

A. SPECIALIST (MASTER’S DEGREE PLUS 30)

1. An applicant for the specialist certificate classification must hold or qualify for a master’s degree professional certificate.

2. An applicant may qualify for the specialist classification by fulfilling one of the following criteria:

a. earning an educational specialist degree from a regionally or nationally accredited college or university or an institution of higher education that has programs approved for teacher education by the South Carolina State Board of Education,

b. completing two master’s degrees for a total of at least sixty (60) graduate semester hours,

c. completing a master’s degree that requires at least sixty (60) graduate semester hours, or

d. completing thirty (30) semester hours of graduate credit in addition to the master’s degree, with 21 semester hours of concentration in the field of education or in course work in one academic area for which teacher certification is offered.

Fiscal Impact Statement: None

Resubmitted April 17, 2001

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**DEPARTMENT OF EDUCATION**  
 CHAPTER 43  
 Statutory Authority: S.C. Code Ann Sections 59-5-60 (1990)

43-53.2. Types and Levels of Credential Classification.

**Synopsis:** Promulgation of the amendment and replacement of Regulation 43-53.2 is recommended by the State Department of Education to clarify the requirements for those individuals seeking a teaching certificate in South Carolina. The regulation will provide a time limit for the completion of coursework for teacher's seeking to advance their certificate to a Bachelor's +18 or Master's +30 level. A name change is recommended for the Advanced Professional level to Doctoral level thus accurately identifying the type of degree required at that level. The certification area speech correctionist is recommended to change to speech therapist. This change reflects the job description for the area and position.

**Instructions:** Amend and replace in its entirety Regulation 43-52.2, Types and Levels of Credential Classification, in Chapter 43 regulations.

**Text:** R 43-53.2. Types and Levels of Credential Classification.

A. Initial Certificate

An initial certificate is valid for three years and may be renewed one time. Upon successful completion of the induction program, ancillary requirements, and the annual-contract year, the teacher shall be eligible for a professional certificate. To qualify for an initial certificate, an applicant must fulfill the following:

1. Earn an undergraduate or graduate degree in an approved teacher education program from an institution accredited for general collegiate purposes by a regional or national accreditation association or through a South Carolina institution with programs approved for teacher education by the South Carolina State Board of Education. Professional education credit must be earned through an institution that has a teacher education program approved for initial certification.

2. Score the minimum qualifying score(s) on the required specialty area examination(s).

3. Submit a complete application and receive a clear FBI fingerprint review. Eligible applicants who have prior arrests and/or prior convictions must undergo a review by the State Board of Education and be approved before a certificate may be issued.

B. Professional Certificate (Multiple Levels)

All professional certificates are valid for five years. To qualify for each successive level of professional certification, an applicant must fulfill the following requirements.

1. Professional

- a. Meet all criteria for an initial area of certification and have earned a bachelor's degree that meets State Board of Education regulations for teacher certification and program approval.

- b. Successfully complete the induction program, ancillary requirements, and the annual-contract year.



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OR

c. Successfully complete the requirements for reciprocity according to the Interstate Agreement on Qualification of Educational Personnel.

### 2. Bachelor's Degree plus Eighteen Hours

a. Meet all criteria for an initial area of certification and have earned a bachelor's degree that meets State Board of Education regulations for teacher certification and program approval.

b. Have eighteen (18) hours of graduate credit in one specialty/content area (these may include add-on certification). Educators must follow the approved procedure for the identification of the graduate specialty/content area and completion of the coursework within seven (7) years after the request. Individuals who do not complete the requirements during the seven years must request a new evaluation of their teaching credentials and meet the new requirements.

### 3. Master's Degree

a. Meet all requirements for an initial area of certification.

b. Have earned a master's degree that meets State Board of Education regulations for teacher certification and program approval.

### 4. Specialist

a. Meet all requirements for an initial area of certification. Educators must follow the approved procedure for the identification of the graduate specialty/content area and completion of the coursework within seven (7) years after the request. Individuals who do not complete the requirements during the seven years must request a new evaluation of their teaching credentials and meet the new requirements.

b. Have earned an additional master's degree or specialist's degree that meets State Board of Education regulations for teacher certification and program approval.

c. Have thirty (30) semester hours of graduate credit above the master's degree in a planned area of concentration (these hours may or may not be in the teacher's initial area of certification).

### 5. Doctorate

a. Meet all requirements for an initial area of certification.

b. Have earned a doctoral degree that meets State Board of Education regulations for teacher certification and program approval.

## C. Temporary Certificate

A temporary certificate is valid for a period of one year and can be renewed twice provided that evidence of progress toward full certification is submitted in the form of course work or required test scores. Once requirements have been met, the teacher is eligible to apply for a professional certificate. Temporary certificates may be issued to individuals in the following circumstances:

### 1. Out-of-State Certified Teacher

Any person who holds a valid teaching certificate from another state but does not meet one or more of South Carolina's certification requirements is eligible for a temporary certificate until he or she meets the ancillary requirements for the initial or the professional certificate.

## 2. School Psychologist

Any person who is serving the required internship for certification as a School Psychologist I or II under the supervision of a certified School Psychologist II or III or who is serving the required internship for School Psychologist III under the supervision of a certified School Psychologist III is eligible for a temporary certificate.

a. Written documentation must be provided that the individual requesting the temporary certificate is enrolled in and working toward full certification as a school psychologist and that the internship is served through a State Board of Education approved training program.

b. The temporary certificate may be renewed once based upon written documentation from the director of the school psychology program that the applicant is a full-time student in the program during the second year of the renewed certificate.

## 3. Speech-Language Therapist

Any person who holds the Certificate of Clinical Competence in speech pathology issued by the American Speech-Language Hearing Association (ASHA) or who has completed a master's degree that includes the academic and clinical requirements for the ASHA Certificate of Clinical Competence and has achieved the minimum qualifying score on the State Board of Education required examination will be issued a temporary certificate upon verification of an employment offer by a South Carolina public school district.

a. The temporary certificate will be effective for one academic year and will be converted to the professional certificate upon a successful evaluation of the individual's duties during the initial year of his or her employment.

b. Individuals who qualify and previously have served satisfactorily full-time as a speech therapist for at least one year in a K-12 setting may be issued the professional certificate initially. An employment offer is not required for the professional certificate.

## 4. Out-of-Field Permit

Any person who holds a valid South Carolina temporary or professional certificate and is assigned duties in an area for which he or she is not appropriately certified is eligible to receive a permit to teach out of field. However, permits are not issued for school psychologists and speech and language therapists.

Out-of-field permits are issued under the following conditions:

a. Out-of-field permits are issued only at the request of the employing school district. The employing district shall apply for a permit no later than thirty (30) days after the date of assignment. Out-of-field permits are issued only for the academic year in which they are requested of their teaching credentials and expire June 30.

b. To qualify for a permit, a person shall have a valid South Carolina teaching credential and twelve (12) semester hours of credit toward full certification in the area of preparation for which the permit is requested.

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c. A permit may be renewed upon presentation of six (6) semester hours of credit in the area for which the permit is issued prior to issuance of another permit in the same area.

d. Once the requirements are met, including the required test score, the teacher may apply for certification in the new area.

### D. Graded Certificates and Warrants

The State Board of Education discontinued the issuance of graded certificates on July 1, 1971, and warrants in November 1976.

#### 1. Graded Certificate

To qualify for the professional certificate, a person who currently holds a grade B, C, or D certificate must fulfill one of the following requirements:

a. achieve the minimum required score on the required specialty area examination(s) or

b. add an additional area of certification to the initial graded certificate by meeting all requirements of the State Board of Education for an additional area, including at least a minimum qualifying score on the required specialty area examination(s) *and* verification of at least three (3) years of teaching experience in that additional area of certification.

#### 2. Warrant Certificate

To qualify for a professional certificate or maintain a warrant, a person must

a. earn the required six (6) semester hours or the equivalent every five (5) years as provided in renewal requirements and

b. remove all certification shortages (specialty area examination[s] and/or course requirements) by meeting current certification requirements.

c. Only bachelor's degree-level certifications may be added to a warrant certificate.

### E. Special Subject

Upon request by the school district, the State Board of Education may grant approval for issuing a special subject certificate to any individual who qualifies under the guidelines established by the State Board of Education.

**Fiscal Impact Statement:** None

Document Number 2600  
**COMMISSION ON HIGHER EDUCATION**  
 Chapter 62  
 Statutory Authority: 1976 Code Section 59-142-20

62-450 South Carolina Need-based Grants Program

**Synopsis:**

The Commission proposes to amend and replace in its entirety R.62-450 of the South Carolina Need-based Grants Program. The proposed amendments will clarify the policies and procedures for administering the State Need-based Grant. The regulations address revising the requirement that a grant recipient cannot have a criminal record to the requirement that a grant recipient not have any felonies, alcohol or drug related offenses; and, adding sections for students with disabilities and enrollment in the Doctorate of Pharmacy (Pharm.D.) Program.

Notice of Drafting for the proposed amendments to the regulations for the South Carolina Need-based Grants Program was published in the *State Register* on October 27, 2000. The Commission on Higher Education held a public hearing at their regularly scheduled meeting on February 1, 2001. Being that there were no public comments, the Commission on Higher Education unanimously approved the amendments to the State Need-based Grant regulations.

**Instructions:** Add new R.62-450, South Carolina Need-based Grants Program, to Chapter 62 regulations.

**Text:**

62-450 Purpose of the South Carolina Need-based Grants Program

Pursuant to Act 458, South Carolina Children First: Resources for Scholarships and Tuition Act of 1996, of the 1995-1996 Appropriations Bill, the Commission on Higher Education shall promulgate regulations and establish procedures to administer the South Carolina Need-based Grants Program. The purpose of the South Carolina Need-based Grants Program is to provide additional financial aid assistance to South Carolina's neediest students. The program will assist students who wish to attend public or independent colleges or universities in the State.

62-455 Allocation of Need-based Grant Funds to Public and Independent Institutions:

Funds made available for higher education grants and scholarships under Act 458, South Carolina Children First: Resources for Scholarship and Tuition Act of 1996, shall be included in the annual appropriation to the Commission on Higher Education and shall be awarded to eligible students attending public or independent eligible institutions by the Commission on Higher Education as State Need-based Grant recipients as follows:

A. Public Institutions:

(1) "Public institutions" are those institutions as defined in Chapter 103 of Title 59 of the 1976 Code, which stipulates that: "1) 'public higher education' shall mean State-supported education in the post-secondary field, including comprehensive and technical education; 2) 'public institution of higher learning' shall mean any state-supported post-secondary educational institution and shall include technical and comprehensive educational institutions."

(2) From the funds available for the higher education grants and scholarships allocation for public institutions under Chapter 143 of Title 59 of the 1976 Code, as amended under the South Carolina Children First: Resources for Scholarship and Tuition Act of 1996, allocated funds for the South Carolina Need-based Grants Program shall equal fifty percent of the designated appropriation. Of the funds allocated to public institutions, the percentage shall be equivalent to the percentage of the public institution's share of the total

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South Carolina resident undergraduate full-time headcount enrollment in the preceding year. The remaining fifty percent shall be allocated to Palmetto Fellows Scholarships. However, in instances where the equal division of the appropriated funds between Need-based Grants and the Palmetto Fellows Scholarship Programs exceeds the capacity to make awards in either program, the Commission on Higher Education has the authority to re-allocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

### B. Independent Institutions:

(1) "Independent institutions" are those institutions eligible to participate in the South Carolina Tuition Grants Program as defined in Chapter 113 of Title 59 of the 1976 Code, which stipulates that "an independent institution of higher learning means any independent eleemosynary junior or senior college in South Carolina whose major campus and headquarters are located within South Carolina and which is accredited by the Southern Association of Colleges and Schools."

(2) The funds made available to the independent institutions for the higher education grants and scholarships are derived as a percentage of total funds appropriated for this purpose under the South Carolina Children First: Resources for Scholarship and Tuition Act of 1996. Fifty percent of these funds will be allocated to the South Carolina Need-based Grants Program. Of the funds allocated to independent institutions, the percentage shall be equivalent to the percentage of the independent institutions' share of the total South Carolina resident undergraduate full-time headcount enrollment in the preceding year (e.g., for 1997-98, 18.5 percent of in the enrollment) and will be determined annually by the South Carolina Commission on Higher Education and the Tuition Grants Commission. The remaining fifty percent shall be allocated to Palmetto Fellows Scholarships. However, in instances where the equal division of the appropriated funds between Need-based Grants and the Palmetto Fellows Scholarship Programs exceeds the capacity to make awards in either program, the Commission on Higher Education has the authority to re-allocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

(3) The funds allocated for Need-based Grants shall be included in the annual appropriation to the Commission on Higher Education and transferred annually into the budget of the South Carolina Tuition Grants Commission, which will distribute these funds as Tuition Grants.

### 62-460 Program Definitions for Administering South Carolina Need-based Grants at Public Institutions

A. "Academic year" is defined as the fall and spring terms during which a part-time student would be expected to complete a minimum of twelve credit hours (or its equivalent) or a full-time student would be expected to complete a minimum of 24 credit hours (or its equivalent).

B. "Associate program" is defined as a two-year technical or occupational program or an associate degree program (Associate of Arts or Associate of Science) which leads to the first two years of a baccalaureate degree at a location approved by the U.S. Department of Education for participation in federally-funded financial aid programs and authorized by the Commission on Higher Education.

C. "Baccalaureate program" is defined as a program of study leading to the first bachelor's degree at a location approved by the U.S. Department of Education for participation in federally funded financial aid programs and authorized by the Commission on Higher Education.

D. "Degree-seeking undergraduate student" is defined as any part-time or full-time degree-seeking student enrolled in an undergraduate program at an eligible institution which leads to the first associate degree and/or to the first baccalaureate degree but not to the first associate degree acquired after completion of the first baccalaureate degree.

E. "Eligible program" is defined as a program of study leading to: 1) an associate or baccalaureate degree; 2) at least a two-year program that is acceptable for full credit towards a bachelor's degree; or 3) at least a one-year educational program that leads to a degree, certificate, or other recognized educational credential (e.g., diploma), which meets all other Title IV regulations as authorized by the U.S. Department of Education for participation in federally-funded financial aid programs, provided that all of the above are permitted by the enabling legislation.

F. "Full-time student" shall mean a student who has matriculated into a program leading to a baccalaureate, associate, diploma, or one-year certificate program, and who enrolls in a minimum of twelve credit hours (or its equivalent) during the regular academic term.

G. "Need analysis" shall mean the process of analyzing the household and financial information on the student's financial aid application and calculating the amount the family can be expected to contribute to educational costs. For federal student financial aid programs, the need analysis system is defined under Title IV of the Higher Education Act of 1965.

H. "Needy student" shall mean a post-secondary student enrolled in or accepted for enrollment in a two-year or four-year college or university who demonstrates to the institution the financial inability, either parental, familial, or personal, to bear the total cost of education for any regular academic term. The determination of need shall be made in accordance with federal need analysis formulae and provisions.

I. "One-year educational program" is defined as an undergraduate program of study leading to other recognized credentials (e.g., certificates or diplomas which prepare students for gainful employment in a recognized occupation) at a location approved by the U.S. Department of Education for participation in federally-funded financial aid programs and is authorized by either the Commission on Higher Education or the State Board for Technical and Comprehensive Education.

J. "Part-time student" shall mean a student who has matriculated into a program leading to a baccalaureate, associate, diploma, or one-year certificate program, and who enrolls in a minimum of six credit hours and a maximum of eleven credit hours (or its equivalent) during the regular academic term.

K. "Remedial coursework" shall mean sub-collegiate level preparatory courses in English, mathematics, and reading.

L. "Satisfactory academic progress" shall mean the minimum academic standard for academic progress established by the institution for the purpose of complying with Title IV federal regulations for Federal Student Aid Programs.

M. "South Carolina resident" shall be defined as an individual who satisfies the requirements of residency in accordance with the State of South Carolina Statute for Tuition and Fees, Statute 59-112-10, and all related guidelines and regulations promulgated by the Commission on Higher Education.

#### 62-465 Student Eligibility

A. To be eligible for a Need-based Grant each academic year, the student must:

(1) Be a "needy student" following the financial need analysis as established for Title IV Federal Student Aid Programs for determining eligibility for federal student financial aid. The student must complete a Free Application for Federal Student Aid;

(2) Be a U.S. citizen or a permanent resident that meets the definition of an eligible non-citizen under State residency statutes;

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(3) Be a resident of the State of South Carolina as defined in Chapter 112 of Title 59 of the 1976 Code of Laws governing the determination of residency for tuition and fee purposes and in rules and regulations pertaining thereto as promulgated by the Commission on Higher Education;

(4) Be enrolled or accepted for enrollment as a part-time or full-time undergraduate student in a baccalaureate, associate, diploma, or other one-year program, authorized by the Commission on Higher Education or the State Board for Technical and Comprehensive Education at an eligible two-year or four-year public college or university in South Carolina (provided that these programs are eligible programs under the enabling legislation). A student enrolled less than part-time (minimum of six credit hours during one term) may not receive a Need-based Grant for the semester or term in question but is eligible for reapplication for a grant upon return to part-time or full-time status;

(5) Be seeking for the first time an associate or baccalaureate degree, or other recognized credential in a one-year program as authorized by the Commission on Higher Education or the State Board for Technical and Comprehensive Education provided that these programs are eligible programs under the enabling legislation. Students who have already obtained a baccalaureate degree are not eligible for subsequent grant funds. Students who have obtained an associate degree initially are eligible for application for a Need-based Grant upon enrollment in a baccalaureate degree program but no student shall exceed a maximum of eight full-time equivalent terms. Students who have obtained a recognized credential in a one-year program provided that these programs are eligible programs under the enabling legislation, initially are eligible for application for a Need-based Grant upon enrollment in an associate or baccalaureate degree program but a student may not exceed eight full-time equivalent terms;

(6) Be enrolled at the time of the grant disbursement in a minimum of six credit hours if part-time for the term (or its equivalent) or twelve credit hours if full-time for the term;

(7) Certify that he/she has not been adjudicated delinquent, convicted, or pled guilty or nolo contendere to any felonies, alcohol, or drug related offenses under the laws of this or any other state or under the laws of the United States by submitting a signed affidavit each academic year to the institution testifying to the fact, except that a student who has been adjudicated delinquent, convicted, or pled guilty or nolo contendere of an alcohol or drug related misdemeanor offense is only ineligible for the next academic year of eligibility after the date of the adjudication, conviction or plea. Any false information provided by the student or any attempt to obtain or expend any Need-based Grant for unlawful purposes or any purpose other than in payment or reimbursement for the cost-of-attendance at the institution authorized to award the grant will be cause for immediate cancellation of the Need-based Grant. Any student who has obtained a Need-based Grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstances affecting eligibility will be subject to applicable civil or criminal penalties, including loss of the Need-based Grant;

(8) Certify that he/she does not owe a refund or repayment on a State Grant, a Pell Grant, or a Supplemental Educational Opportunity Grant and is not in default on a loan under the Federal Perkins Loan or Federal Stafford Loan programs; and

(9) Must apply for the Need-based Grant each academic year and meet all eligibility requirements annually.

B. Students enrolled part-time or full-time may not receive a Need-based Grant for more than a maximum of eight full-time equivalent terms.

C. Students enrolled in an eligible program of study as stated in the "Program Definitions" section may include remedial courses as part of the minimum number of required credit hours for part-time or full-time status, as long as such courses carry credit hours and meet Title IV limitations on remedial coursework.

### 62-470 Withdrawal, Suspension, or Dropping Below Part-Time or Full-Time Status

A. In the event a student who has been awarded a Need-based Grant withdraws or is suspended from the institution, or drops below part-time (six credit hours) or full-time (twelve credit hours) status during any

regular term of the academic year, institutions must reimburse the Need-based Grants Program for the amount of the Need-based Grant for the term in question pursuant to refund policies of the institution.

B. In the event a student withdraws or drops below part-time or full-time status after the institution's refund period and therefore must pay tuition and fees for part-time or full-time enrollment, the award may be retained by the student pursuant to the refund policies of the institution.

C. The institution may redistribute such funds to other eligible students in accordance with the guidelines, or if such funds cannot be redistributed within the academic year, the institution shall return the refund amount to the Commission on Higher Education for redistribution to other institutions.

#### 62-475 Policies and Procedures for Awarding Need-based Grants

A. Need-based Grants may not exceed \$1,250 for part-time students and \$2,500 for full-time students per academic year.

B. Need-based Grants are to be used only for payment for the cost-of-attendance as defined by Title IV regulations as modified by C. below for the academic year for which the award is made at the designated institution. In determining the amount awarded for the Need-based Grant, all other sources of grant funds, including Federal, state, institutional, family contribution, and gift assistance must be applied to the total cost-of-attendance in accordance with Title IV regulations before calculating the unmet need and awarding the grant. The maximum amount awarded shall not exceed the cost-of-attendance as defined in Title IV regulations for any year.

C. Charges for room and board are to be limited as follows:

(1) Room charges shall not exceed the average cost of on-campus residential housing; and

(2) Board charges shall not exceed the cost of the least expensive on-campus meal plan, which includes 21 meals per week.

D. Adjustments to the financial aid package will be made to the Need-based Grant in accordance with prescribed federal aid Title IV regulations in order to prevent an over-award.

E. The institution must retain annually appropriate paper or electronic documentation for each grant award to include at a minimum:

(1) Need analysis

(2) Affidavit documenting that the student has never been convicted of any felonies, alcohol or drug related offenses as stated under Sections 62-465A(7) and 62-480D(3)

(3) Award notification

(4) Institutional disbursements to students

(5) Refunds and repayments

(6) Satisfactory academic progress

(7) Student residency status

(8) Enrollment and curriculum requirements

F. Annual allocations of funds to the public institutions will be based on each institution's percentage of the State's total enrollment of South Carolina resident undergraduate full-time degree-seeking headcount



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enrollment. The percentage will be based on the previous year's total as determined by the Commission on Higher Education. Unused funds, which cannot be awarded by an institution, must be returned to the Commission on Higher Education, which may redirect the funds to institutions where unmet need exists.

G. The Need-based Grants Program for the public institutions will be campus-administered, and the grant funds will supplement the student financial aid awards administered by the participating public colleges and universities.

H. The institution will make awards in amounts to be defined in accordance with the Need-based Grants Program regulations and criteria, but not to exceed \$1,250 per eligible part-time student and \$2,500 per eligible full-time student per year, based on the institution's allocated funds for Need-based Grants and other financial aid awarded to individual applicants.

I. Participating institutions will notify students of their Need-based Grant along with the terms and conditions of the award.

J. The Need-based Grant shall be awarded only after all other sources of grant funding, including gift assistance, family contribution, institutional, State, and Federal sources of grant aid have been exhausted.

K. It is the institution's responsibility to ensure that no ineligible student receives a Need-based Grant.

### 62-480 Duration of Award and Continued Eligibility

A. Need-based Grants shall be awarded for no longer than one academic year. The institution shall adjust the amount of the grant award during the academic year in the event of a change in the student's financial or enrollment status.

B. Need-based Grants may be awarded annually for no more than a total of eight full-time equivalent terms of part-time or full-time study. Award decisions will be made annually and are not automatically guaranteed.

C. Students must reapply annually for a Need-based Grant in accord with these guidelines and other pertinent statutes and regulations and with application timeliness and procedures stipulated by the institutions. Students applying for a Need-based Grant must file a Free Application for Federal Student Aid and any supplemental forms, which may be required by the institution.

D. For continued eligibility, the student is required to:

(1) Earn at least 24 credit hours (or its equivalent) each regular academic year if awarded a Need-based Grant as a full-time student or earn at least twelve credit hours (or its equivalent) each regular academic year if awarded a Need-based Grant as a part-time student. If a student is awarded a Need-based Grant for one term of the academic year as a part-time student and the other term as a full-time student, the student must earn at least eighteen credit hours (or its equivalent) each regular academic year. If a student is awarded a Need-based Grant for only one term of the academic year, the student must earn at least twelve credit hours (or its equivalent) each regular academic year if a full-time student or earn at least six credit hours (or its equivalent) each regular academic year if a part-time student. Credits earned during any additional terms (i.e., interim, winterim, maymester, summer or other non-regular term) cannot be used to replace or reduce the minimum credit hour requirement for the regular academic year;

(2) Earn at least a cumulative 2.0 grade point average on a 4.0 scale for graduation purposes by the end of each regular academic year; and

(3) Certify that he/she has not been adjudicated delinquent, convicted, or pled guilty or nolo contendere to any felonies, alcohol, or drug related offenses under the laws of this or any other state or under the laws of the United States by submitting a signed affidavit each academic year to the institution testifying to the fact, except that a high school or college student who has been adjudicated delinquent, convicted, or pled guilty or

nolo contendere of an alcohol or drug related misdemeanor offense is only ineligible for the next academic year of eligibility after the date of the adjudication, conviction or plea.

E. The institution shall be responsible for maintaining institutional certification of each recipient's continuous part-time and/or full-time enrollment in an eligible program of study as determined under Title IV regulations for participation in federally-funded financial aid programs leading to: 1) an associate or baccalaureate degree; 2) at least a two-year program that is acceptable for full credit towards a bachelor's degree; or 3) at least a one-year educational program that leads to a diploma or certificate, authorized by either the Commission on Higher Education or the State Board for Technical and Comprehensive Education.

F. Students wishing to appeal any grant award decision must submit a written request to the institution's Director of Financial Aid. This request will be handled in accord with the institution's financial aid appeals procedures. The institution's decision on appeals shall be final.

#### 62-485 Students with Disabilities

A. Students who qualify under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 must meet all eligibility requirements as defined in Section 62-465 except for a student who is approved by the Disability Services Provider to be enrolled in less than part-time status is eligible to receive grant funding. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

B. For renewal, students who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 must meet all renewal requirements as defined in Section 62-480 except for a student not meeting the annual credit hour requirement who is approved by the Disability Services Provider to be enrolled in less than part-time status for that academic year. Students must complete the required number of hours approved by the institutional Disability Services Provider each academic year for grant renewal and earn a minimum 2.0 cumulative grade point average on a 4.0 scale by the end of the academic year. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

C. The institutional Disability Services Provider must provide written documentation to the Office of Financial Aid each academic year verifying that the student is approved to be enrolled in less than part-time status.

D. Students who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 are eligible to receive up to the maximum number of available terms and available funds as stated in 62-460.

#### 62-490 Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Student Exchange Programs

A. Students enrolled in an internship, cooperative work program, travel study program, or National or International Student Exchange Program approved by the student's home institution, and enrolled in fewer than six credit hours, shall not be eligible to receive a Need-based Grant during the period in which the student is enrolled in such programs or courses. Students enrolled in such programs may receive a Need-based Grant during a subsequent fall or spring term if determined to be eligible.

#### 62-495 Enrollment in Doctor of Pharmacy (Pharm.D.) Program

A. Students enrolled in a Pharm.D. Program, and who have not been granted their first bachelor's degree, are eligible to receive the Need-based Grant. Grant funding may not exceed eight full-time equivalent terms. Students must meet all other eligibility criteria as set forth in the program regulations.

#### 62-500 Institutional Procedures for Award Notification

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A. The institution will identify award amounts, which cannot exceed \$1,250 per eligible part-time student and \$2,500 per eligible full-time student per academic year. Half of each grant shall be disbursed during the fall term and half disbursed during the spring term (or their equivalents) of each year, assuming continued eligibility. Under the current regulations, the maximum amount which may be received for eight full-time equivalent terms by a recipient shall be \$10,000 for students seeking their first baccalaureate degree, \$5,000 for students seeking their first associate degree or two-year diploma, and \$2,500 for students seeking their first one-year certificate or diploma programs that are authorized by the U.S. Department of Education under Title IV regulations for participation in federally-funded financial aid programs and by the Commission on Higher Education and/or the State Board for Technical and Comprehensive Education. Study toward the first diploma or certificate may be followed by study toward the first associate degree, which may be followed by transfer to the first baccalaureate degree program.

B. The institution shall provide an award notification to Need-based Grant recipients who will contain the terms and conditions of the grant and other financial aid awarded. Students will be notified of adjustments in financial aid due to changes in eligibility and/or over-award issues.

### 62-505 Need-based Grant Disbursements

A. Where the initial allocation exceeds the needs of students at an institution, the Commission shall have the authority to redistribute the excess funds to other institutions.

(1) All funds not awarded by the institution 45 days after the last day to register for the spring term of the academic year shall be returned to the Commission for redistribution.

(2) Institutions in need of Need-based Grants for eligible students must provide documentation to this effect and must request additional funds from the Commission on Higher Education in writing by not later than 45 days after the last day to register for the spring term of the academic year.

### 62-510 Program Oversight for Need-based Grants

A. The South Carolina Commission on Higher Education will coordinate the oversight of functions (e.g., guidelines, policies, rules, regulations) relative to this program with eligible institutions. The Commission on Higher Education shall be responsible for the allocation of funds, promulgation of the regulations and rules, and statewide oversight of the Need-based Grants Program.

B. In order to participate in the program, institutions must abide by program policies, rules or regulations, and maintain and provide all pertinent information, records, reports, or any information as may be required or requested by the Commission on Higher Education or the General Assembly to ensure proper administration of the program.

C. The initial maximum award for the Need-based Grants Program may be adjusted periodically by the Commission due to inflation increases or other relevant factors.

D. After the last day to register for each term of the academic year, the institution will verify that each recipient is a South Carolina resident who is a part-time or full-time student enrolled in a program of study leading to the first: 1) associate or baccalaureate degree; 2) two-year program that is acceptable for full credit towards a bachelor's degree; or 3) one-year educational program that leads to a diploma or certificate, as authorized by the U.S. Department of Education under Title IV regulations for participation in federally-funded financial aid programs, the Commission on Higher Education, and/or the State Board for Technical and Comprehensive Education. A reconciliation report will be submitted to the Commission at the end of each academic year. Unused funds or repayments shall be refunded to the Commission no later than 45 days after the last day to register for the spring term.

E. The Commission on Higher Education shall appoint an advisory committee to review program policies and procedures and to provide recommendations to the Commission pertaining to program administration. The advisory committee shall include financial aid administrators from selected eligible public institutions.

F. In instances where the equal division of the appropriated funds between Need-based Grants and the Palmetto Fellows Scholarship Programs exceed the capacity to make awards in either program, the Commission on Higher Education shall reallocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

G. The institutions are authorized to establish additional guidelines, rules, and regulations for awarding the grants consistent with the South Carolina Need-based Grants Program regulations contained herein.

#### 62-515 Suspension or Termination of Institutional Participation

A. The Commission may review institutional administrative practices to determine institutional compliance with rules and regulations, pertinent statutes, and program guidelines. If such a review determines that an institution has failed to comply with program statutes, rules, or regulations, the Commission may suspend, terminate, or place certain conditions upon the institution's continued participation in the program and require reimbursement to the State Need-based Grants Program for any funds lost or improperly awarded.

B. Upon receipt of evidence that an institution has failed to comply with program statutes, rules, regulations, the Commission on Higher Education shall notify the institution in writing of the nature of such allegations and conduct an audit.

C. If an audit indicates that a violation or violations may have occurred or are occurring at any public or independent college or university, the Commission on Higher Education shall secure immediate reimbursement from the institution in the event that any funds were expended out of compliance with the provisions of the Act, any relevant statutes, pertinent rules, and these regulations.

#### **Preliminary Fiscal Impact Statement:**

There will be no increased costs to the State or its political subdivisions.

Document Number 2601

### **COMMISSION ON HIGHER EDUCATION**

Chapter 62

Statutory Authority: 1976 Code Section 59-104-20

#### 62-300 Palmetto Fellows Scholarship Program

#### **Synopsis:**

The Commission proposes to amend and replace in its entirety R.62-300 of the Palmetto Fellows Scholarship Program. The proposed amendments will clarify the policies and procedures for administering the Palmetto Fellows Scholarship. The following regulations address adding the requirement that a Palmetto Fellow cannot have any felonies, alcohol or drug related offenses as stipulated by S.1235; due to the adoption of the Uniform Grading Scale in December 1999 by the State Department of Education, including language regarding the Uniform Grading Scale; and, adding sections for students with disabilities and enrollment in the Doctorate of Pharmacy (Pharm.D.) Program.

Notice of Drafting for the proposed amendments to the regulations for the Palmetto Fellows Scholarship Program was published in the *State Register* on October 27, 2000. The Commission on Higher Education held

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a public hearing at their regularly scheduled meeting on February 1, 2001. Being that there were no public comments, the Commission on Higher Education unanimously approved the amendments to the Palmetto Fellows Scholarship regulations.

**Instructions:** Add new R.62-300, Palmetto Fellows Scholarship Program, to Chapter 62 regulations.

### **Text:**

#### 62-300 Purpose of the Palmetto Fellows Scholarship Program

Pursuant to Act 458 which was initially established as Title 59 of the 1976 Code as amended under Section 18A.28 of the 1997-98 Appropriations Bill, the Commission on Higher Education shall promulgate regulations and establish procedures to administer the Palmetto Fellows Scholarship Program. The General Assembly established the Palmetto Fellows Scholarship Program to foster scholarship among the State's postsecondary students and retain outstanding South Carolina high school graduates in the State through awards based on scholarship and achievement. The purpose of the Palmetto Fellows Scholarship Program is to recognize the most academically talented high school seniors in South Carolina and to encourage them to attend eligible colleges or universities in the State. A secondary purpose is to help retain talented minority students who might otherwise pursue studies outside the State.

#### 62-305 Allocation of Palmetto Fellows Scholarship Funds to Public and Independent Institutions:

Funds made available for higher education grants and scholarships under Act 458, South Carolina Children First: Resources for Scholarship and Tuition Act of 1996, shall be included in the annual appropriation to the Commission on Higher Education and shall be awarded to eligible students attending public or independent eligible institutions by the Commission on Higher Education as Palmetto Fellows Scholarships as follows:

##### A. Public Institutions:

(1) "Public institutions" are those four-year baccalaureate degree-granting institutions as defined in Chapter 103 of Title 59 of the 1976 Code, which stipulates "public higher education shall mean state-supported education in the post-secondary field." Public two-year institutions and technical colleges are not eligible for participation in this program.

(2) From the funds available for the higher education grants and scholarships allocation for public institutions under Chapter 143 of Title 59 of the 1976 Code, as amended under the South Carolina Children First: Resources for Scholarship and Tuition Act of 1996, allocated funds for the Palmetto Fellows Scholarship Program shall equal fifty percent of the designated appropriation. Of the funds allocated to public institutions, the percentage shall be equivalent to the percentage of the public institution's share of the total South Carolina resident undergraduate full-time headcount enrollment in the preceding year. The remaining fifty percent shall be allocated to Need-based Grants. However, in instances where the equal division of the appropriated funds between Need-based Grants and the Palmetto Fellows Scholarship Programs exceeds the capacity to make awards in either program, the Commission on Higher Education has the authority to re-allocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

##### B. Independent Institutions:

(1) "Independent institutions" are those institutions eligible to participate in the South Carolina Tuition Grants Program as defined in Chapter 113 of Title 59 of the 1976 Code, which stipulates that an "independent institution of higher learning means any independent eleemosynary junior or senior college in South Carolina whose major campus and headquarters are located within South Carolina and which is accredited by the

Southern Association of Colleges and Schools." However, independent two-year institutions are not eligible for participation in this program.

(2) The funds made available to the independent institutions for the higher education grants and scholarships are derived as a percentage of total funds appropriated for this purpose under the South Carolina Children First: Resources for Scholarship and Tuition Act of 1996. Fifty percent of these funds will be allocated to Palmetto Fellows Scholarships. Of the funds allocated to independent institutions, the percentage shall be equivalent to the percentage of the independent institutions' share of the total South Carolina resident undergraduate full-time headcount enrollment in the preceding year (e.g., for 1997-98, 18.5 percent of in the enrollment) and will be determined annually by the South Carolina Commission on Higher Education and the Tuition Grants Commission. The remaining fifty percent shall be allocated to Need-based Grants. However, in instances where the equal division of the appropriated funds between Need-based Grants and the Palmetto Fellows Scholarship Programs exceeds the capacity to make awards in either program, the Commission on Higher Education has the authority to re-allocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

#### 62-310 Program Definitions

- A. "Academic year" is defined as the twelve-month period of time during which a full-time student is expected to earn thirty credit hours. The period of time used to measure the academic year will consist of a fall, spring and summer term.
- B. "Baccalaureate program" is defined as a program of study leading to a bachelor's degree at a location approved by the U.S. Department of Education for participation in federally funded financial aid programs.
- C. "Degree-seeking undergraduate student" is defined as any degree-seeking student enrolled full-time in an undergraduate program at an eligible institution that leads to the first baccalaureate degree.
- D. "Eligible Program" is defined as a program of study at a location approved by the U.S. Department of Education for participation in federally funded financial aid programs as defined by Title IV under the Higher Education Act of 1965.
- E. "Full-time student" shall mean a student who has matriculated into an undergraduate program leading to the first baccalaureate degree and who enrolls full-time, usually fifteen semester credit hours for fall and spring terms or eleven credit hours for fall, eight credit hours for winter, and eleven credit hours for spring trimester terms.
- F. "Need analysis" shall mean the process of analyzing the household and financial information on the student's financial aid application and calculating the amount the family can be expected to contribute to education costs. For federal student financial aid programs, the need analysis system is defined under Title IV of the Higher Education Act of 1965.
- G. "Satisfactory academic progress" shall mean the minimum academic standard for academic progress established by the institution for the purpose of complying with Title IV federal regulations for Federal Student Aid Programs.
- H. "South Carolina resident" shall be defined as an individual who satisfies the requirements of residency in accordance with the State of South Carolina Statute for Tuition and Fees, Statute 59-112-10, and all related guidelines and regulations promulgated by the Commission on Higher Education.

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I. "Transfer student" is defined, for the purposes of this program, as a student who has changed full-time enrollment from one eligible institution to another eligible institution and is a full-time South Carolina resident degree-seeking undergraduate at the "receiving" eligible institution.

J. "Transient student" is defined as a temporary, part-time or full-time non-degree-seeking student who does not meet the institution's criteria as a matriculating full-time student.

### 62-315 Student Eligibility

A. In order to qualify for consideration for a Palmetto Fellows Scholarship award, a student must:

(1) Be enrolled in a public or private high school or any other high school program of study approved and certified by that school district as conforming to relevant State statutes at the time of application and be a legal resident of South Carolina as defined in applicable State statutes governing the determination of residency for tuition and fee purposes and be approved by pertinent rules and regulations promulgated by the Commission on Higher Education;

(2) Be a U.S. citizen or a permanent resident that meets the definition of an eligible non-citizen under State residency statutes;

(3) Meet the following three criteria: a score of 1200 on the Scholastic Assessment Test (SAT) or an equivalent ACT score, and a grade point average (GPA) of 3.5 on a 4.0 scale or 3.5 on the Uniform Grading Scale at the end of the junior year, and rank in the top five percent of the class at the end of either the sophomore or the junior year. Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by no later than the scholarship application deadline;

(4) Be seriously considering attending, have applied, or have been accepted for admission to an eligible four-year baccalaureate-granting public or independent college or university in South Carolina as defined under Chapter 143 and Chapter 113 of Title 59 of the 1976 Code as a first-time, full-time, baccalaureate degree-seeking student;

(5) Has not defaulted and does not owe refunds on any Federal or State financial aid. If a student has a Student Aid Report (SAR) or its equivalent on file or has applied for Title IV financial assistance by completing the Free Application for Federal Student Aid (FAFSA) form, the SAR information will be used to verify default status or refunds owed. Students who have not completed a FAFSA form must have an affidavit on file to verify that he/she is not in default and does not owe a refund on any Federal or State financial aid, including the State Grant, Pell Grant, Supplemental Educational Opportunity Grant, Perkins Loan or Federal Stafford Loan;

(6) Certify that he/she has not been adjudicated delinquent, convicted, or pled guilty or nolo contendere to any felonies, alcohol, or drug related offenses under the laws of this or any other state or under the laws of the United States by submitting a signed affidavit each academic year to the institution testifying to the fact, except that a high school or college student who has been adjudicated delinquent, convicted, or pled guilty or nolo contendere of an alcohol or drug related misdemeanor offense is only ineligible for the next academic year of eligibility after the date of the adjudication, conviction or plea. This requirement will begin with the 2000-2001 academic year; and

(7) Submit the official Palmetto Fellows Scholarship Application and comply with all the directions contained therein.

B. The high schools shall ensure that all students meeting the eligibility criteria are included in the applicant pool.

C. A high school student who transfers into the State or a student who is enrolled in a high school outside of South Carolina is eligible to participate in the program providing that the student meets all eligibility requirements as described herein as well as all residency requirements as described in the “Program Definitions” section above. A transfer student from, or a student enrolled in, an out-of-state high school may apply on the condition that the counselor or principal at the high school at which the student is presently enrolled provides official high school transcripts and appropriate documentation of compliance with all eligibility criteria, including State residency status, SAT score or equivalent ACT score that are certified by the high school on the Palmetto Fellows Scholarship application by no later than the scholarship application deadline, GPA at the end of the junior year, and rank at the end of either the sophomore or the junior year in high school. The high school principal or counselor must identify each eligible student and provide an application to each student.

D. A high school student who graduates immediately after the high school junior year is eligible to apply for the Palmetto Fellows Scholarship, providing that the student meets all eligibility requirements as described in the “Student Eligibility” section, and providing that the student is entering a participating college or university not later than the fall semester immediately following high school graduation.

E. Students receiving a Palmetto Fellows Scholarship are not eligible for a LIFE Scholarship.

#### 62-320 Student Applications

A. The Commission will send applications to the South Carolina high schools. High school officials will identify students who meet the following three criteria: SAT score or equivalent ACT score, and GPA at the end of the junior year, and rank in the high school sophomore or junior class. Applications will be returned no later than the established deadline along with the appropriate official signatures and the students' official transcripts by the principals to the Commission on Higher Education.

B. The high schools shall complete and return a list to the Commission on Higher Education indicating the names of all students who meet the eligibility criteria according to the high school. Both the high school principal and guidance counselor must sign the list. The list shall indicate whether the student is submitting a completed application or declining the opportunity to submit an application. If the student declines the opportunity to submit an application, the high school will submit a form for each of these students, signed by both the student and the parent/guardian, and indicating the reason(s) for not submitting an application.

C. Students must have certification that they earned a 3.5 GPA on a 4.0 scale or 3.5 on the Uniform Grading Scale at the end of the junior year. Because of the different GPA scales used throughout the State, the high school or the school district shall convert the student's GPA to a 4.0 scale to determine the student's eligibility at high schools that do not operate on a 4.0 scale as stated in Section 62-325B(2). This conversion will be permissible until the graduating class of 2004, at which time the Uniform Grading Scale will be fully implemented. To be eligible for the Palmetto Fellows Scholarship beginning with the graduating class of 2004, students must have certification that they earned a 3.5 on the Uniform Grading Scale at the end of the junior year.

D. Students must have certification that they rank in the top five percent of their high school class at the end of either the sophomore or the junior year.

E. For those high schools that have fewer than twenty students in the class at the end of either the sophomore or junior year, the high school can submit an application for the one student who is number one in the class, providing that student meets all other eligibility criteria. For those high schools that have fewer than forty students but greater than twenty students in the class at the end of either the sophomore or the junior year, the high school can submit applications for the two students who are number one in the class and number two in the class, providing that the students meet all other eligibility criteria.



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F. Students must have certification that they earned a score of at least 1200 on the SAT, or an equivalent ACT score. The Commission shall convert all ACT scores to the equivalent SAT scores.

G. Qualifying test scores must be certified by the high school on the Palmetto Fellows Scholarship application by no later than the scholarship deadline. It is permissible to select a verbal score from one test administration and a math score from a different test administration in order to obtain the qualifying composite score.

**62-325 Selection Process**

A. Palmetto Fellows Scholarship applicants shall be rated based on five categories weighted as follows:

|  |   |             |
|--|---|-------------|
| SAT or equivalent ACT score                | = | 30%         |
| Junior year grade point average            | = | 25%         |
| Sophomore or junior year class rank        | = | 25%         |
| Extracurricular activities/work experience | = | 15%         |
| <u>Counselor recommendation</u>            | = | <u>5%</u>   |
| <b>TOTAL</b>                               | = | <b>100%</b> |

B. In order to calculate a rank order for each student, each of the five categories shall be assigned ranking points as follows:

(1) For the SAT score, the scoring shall be based on the number of SAT points actually earned on the test rather than on the score itself. This is because, merely by virtue of taking the test, all students are automatically given 400 points; thus, the formula subtracts those 400 points, which are not earned by the student. It divides the remainder by 1200, which is the eligibility cutoff score, and multiplies the total by 30, which is the total number of possible points to be awarded for the SAT score. The resulting ranking points appropriately discriminate among higher and lower SAT scores. The formula will be as follows:

$$\frac{\text{SAT score} - 400}{1200} \times 30 = \text{ranking points for SAT score}$$

(2) For grade point average (GPA), the variances between weighted and unweighted GPAs shall be reduced by converting all weighted GPAs as follows: divide the weighted GPA of the applicant by the highest earned weighted GPA in the applicant's junior class and then multiply by four to convert to a 4.0 scale. The formula is as follows:

$$\frac{\text{Applicant's GPA at the end of the junior year}}{\text{Highest earned GPA in the applicant's junior class}} \times 4 = \text{GPA}$$

All unweighted GPAs shall be reported on a 4.0 scale. Once the GPA has been determined, the following ranking points shall be awarded to the applicant based on the achieved GPA on a 4.0 scale at the end of the junior year:

| <u>Points</u> | <u>GPA</u>    |
|---------------|---------------|
| 25            | = 4.00        |
| 24            | = 3.95 - 3.99 |
| 23            | = 3.90 - 3.94 |
| 22            | = 3.85 - 3.89 |
| 21            | = 3.80 - 3.84 |
| 20            | = 3.75 - 3.79 |

|    |   |             |
|----|---|-------------|
| 19 | = | 3.70 - 3.74 |
| 18 | = | 3.65 - 3.69 |
| 17 | = | 3.60 - 3.64 |
| 16 | = | 3.55 - 3.59 |
| 15 | = | 3.50 - 3.54 |

By no later than the graduating class of 2004, all grade point ratios (GPR) must be reported on the Uniform Grading Scale and no conversions will be necessary. The following ranking points shall be awarded based on the achieved GPR on the Uniform Grading Scale at the end of the junior year:

| <u>Points</u> | <u>GPR</u> |                 |
|---------------|------------|-----------------|
| 25            | =          | 4.50 and better |
| 24            | =          | 4.39 – 4.49     |
| 23            | =          | 4.30 – 4.39     |
| 22            | =          | 4.20 – 4.29     |
| 21            | =          | 4.10 – 4.19     |
| 20            | =          | 4.00 – 4.09     |
| 19            | =          | 3.90 – 3.99     |
| 18            | =          | 3.80 – 3.89     |
| 17            | =          | 3.70 – 3.79     |
| 16            | =          | 3.60 – 3.69     |
| 15            | =          | 3.50 – 3.59     |

(3) For class rank, the following ranking points shall be awarded to the applicant based on the percentage of the class the student ranks in at the end of either the sophomore or the junior year:

| <u>Points</u> | <u>Rank</u> |   |
|---------------|-------------|---|
| 25            | =           | .50% and better   |
| 24            | =           | .51 - 1.00%   |
| 23            | =           | 1.01 - 1.50%  |
| 22            | =           | 1.51 - 2.00%  |
| 21            | =           | 2.01 - 2.50%  |
| 20            | =           | 2.51 - 3.00%  |
| 19            | =           | 3.01 - 3.50%  |
| 18            | =           | 3.51 - 4.00%  |
| 17            | =           | 4.01 - 4.50%  |
| 16            | =           | 4.51 - 5.00%  |
| 15            | =           | Points awarded to students who are eligible based on the fact that they rank #1 or #2 in the class (Section 62-320E). |

(4) The following ranking points shall be awarded for extracurricular activities/work experience:

|                       | <u>Possible Points</u> | <u>Explanation</u>  |
|-----------------------|------------------------|---|
| Activity/experience = | 12                     | The applicant can list up to six extracurricular activities/work experiences worth two points each for a possible total of twelve points.   |
| Grade level =         | 1                      | The applicant will mark the grade level(s) that each activity/experience was performed. One point will be awarded for marking at least twelve blocks under the grade level section. |

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|                  |   |   |
|------------------|---|---|
| Total Hours =    | 1 | The applicant will be awarded one point for having expended at least 360 hours in extracurricular and/or work activities.                     |
| Positions Held = | 1 | The applicant will be awarded one point for holding either two leadership positions or one top leadership position (president, editor, etc.). |

(5) The following points shall be awarded for counselor's recommendation:

|                             |   |          |
|-----------------------------|---|----------|
| Highly Recommend            | = | 5 points |
| Recommend                   | = | 3 points |
| Recommend with Reservations | = | 1 point  |
| Do Not Recommend            | = | 0 points |

C. The Commission will award the Palmetto Fellows Scholarships based on priority ranking. The Commission will rank order alternate applicants in priority order. As students who have been named Palmetto Fellows decline to accept the scholarship or fail to meet the eligibility requirements to receive the award, eligible alternate applicants will be awarded scholarships until all available funds are allocated.

D. All students offered a Palmetto Fellows Scholarship must select either a public or private institution. The award shall be designated for use at only one of the two and is not transferable between types of institutions. Due to the funding levels determined by the SC Students First: Financial Resources for Scholarships and Tuition Act of 1996, it is possible that a student will not receive a scholarship in the preference selected.

E. The Commission shall ensure that there is equitable minority participation in the program.

### 62-330 Policies and Procedures for Awarding Palmetto Fellows Scholarships

A. Palmetto Fellows Scholarship awards are to be used only for payment for cost-of-attendance as established by Title IV regulations with modifications set forth in C below for the academic year for which the scholarship award is made at the designated institution.

B. In determining the amount awarded for the Palmetto Fellows Scholarship, all other sources of grant funds, including federal, state, and institutional funds, and gift assistance, must be applied to the unmet total cost-of-attendance in accord with Title IV regulations before calculating the scholarship award and awarding the scholarship. The maximum amount awarded shall not exceed the cost-of-attendance as established by Title IV regulations with modifications set forth in section C below for any year.

C. Charges for room and board are to be limited as follows:

(1) Room charges shall not exceed the average cost of on-campus residential housing; and

(2) Board charges shall not exceed the cost of the least expensive campus meal plan that includes 21 meals per week.

D. The institution must retain annually appropriate paper or electronic documentation to include at a minimum:

(1) Need analysis or affidavit documenting that the student is not in default or does not owe a refund on any State or Federal financial aid

(2) Affidavit documenting that the student has never been convicted of any felonies, alcohol or drug related offenses as stated under Sections 62-315A(6) and 62-335D(5)

(3) Award notification

(4) Institutional disbursements to students

(5) Refunds and repayments

(6) Satisfactory academic progress as stipulated in these regulations

(7) Student residency status

(8) Enrollment and curriculum requirements

E. The institution shall specify exact award amounts based on the student's application and after applying the Palmetto Fellows Scholarship regulations and criteria stipulated therein. The award cannot exceed \$5,000 per student per academic year. However, the maximum award may be adjusted periodically by the Commission on Higher Education pursuant to Title 59, Chapter 104-20 of Act 629 (Cutting Edge Legislation).

F. Each participating institution shall identify to the Commission a Palmetto Fellows Scholarship institutional representative whom is responsible for the operation of the Palmetto Fellows Scholarship Program on the campus and will serve as the contact person for the program.

G. Any student who has obtained a Palmetto Fellows Scholarship award through means of a willfully false statement or failure to reveal any material fact, condition, or circumstances affecting eligibility will be subject to applicable civil or criminal penalties, including loss of the Palmetto Fellows Scholarship.

H. The Commission shall notify students of their selection along with terms and conditions of the award.

I. Students must notify the Commission of their acceptance of the scholarship and designate the participating institution in which they plan to enroll by the date established by the Commission or forfeit the Palmetto Fellows Scholarship.

#### 62-335 Duration and Renewability of Award

A. A Palmetto Fellows Scholarship shall be initially awarded for one academic year. The institution shall adjust the amount of the scholarship award during the academic year in the event of a change in the student's financial status.

B. Students selected as Palmetto Fellows must enter a participating college or university the fall term immediately following high school graduation. The award may not be deferred except as noted under "Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Exchange Programs" section.

C. A Palmetto Fellows Scholarship may be renewed annually for no more than a total of eight terms of full-time study toward the first baccalaureate degree. Renewal decisions will be made annually.

D. In order to retain eligibility for the Palmetto Fellows Scholarship after the initial year, the student must:

(1) Enroll full-time at the time of the scholarship disbursement;

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(2) Earn and maintain at least a cumulative 3.0 grade point average (GPA) on a 4.0 scale for graduation purposes by the end of each academic year;

(3) Complete a minimum of 30 credit hours by the end of the academic year. Students who fail to do so will forfeit their eligibility to be considered for award renewal. This requirement applies to those students who will be awarded the Palmetto Fellows Scholarship beginning with 1999-2000 and thereafter. Students who have been awarded the Palmetto Fellows Scholarship in previous years shall remain under the prior requirement of completing a minimum of 24 credit hours by the end of the regular academic year. For students awarded the Palmetto Fellows Scholarship in years prior to 1999-2000, the academic year shall be defined by the U.S. Department of Education as the period of time a full-time student would normally be expected to complete the equivalent of two semesters of instruction;

(4) Certify each academic year that he/she has not defaulted and does not owe refunds on any Federal or State financial aid. If a student has a Student Aid Report (SAR) or its equivalent on file or has applied for Title IV financial assistance by completing the Free Application for Federal Student Aid (FAFSA) form, the SAR information will be used to verify default status or refunds owed. Students who have not completed a FAFSA form must have an affidavit on file to verify that he/she is not in default and does not owe a refund on any Federal or State financial aid, including the State Grant, Pell Grant, Supplemental Educational Opportunity Grant, Perkins Loan or Federal Stafford Loan; and

(5) Certify that he/she has not been adjudicated delinquent, convicted, or pled guilty or nolo contendere to any felonies, alcohol, or drug related offenses under the laws of this or any other state or under the laws of the United States by submitting a signed affidavit each academic year to the institution testifying to the fact, except that a high school or college student who has been adjudicated delinquent, convicted, or pled guilty or nolo contendere of an alcohol or drug related misdemeanor offense is only ineligible for the next academic year of eligibility after the date of the adjudication, conviction or plea. This requirement will begin with the 2000-2001 academic year.

### 62-340 Transfer of Palmetto Fellows Scholarship

A. Transfer students enrolled at an eligible public or independent institution as defined in Chapter 103 of Title 59 of the 1976 Code may transfer the scholarship award from one institution to another provided that the student transfers to an institution only within the same sector (transfer from an eligible public institution to another eligible public institution, or transfer from an eligible independent institution to another eligible independent institution) unless the student receives prior approval from the Commission on Higher Education.

B. Transfer students shall receive a scholarship award for no more than eight terms at all public or independent institutions attended.

C. Transfer students must comply with all standards for continued eligibility as defined under "Duration and Renewability of Award" section, including the cumulative 3.0 grade point average (GPA) requirement on a 4.0 scale.

D. Palmetto Fellows visiting other participating institutions as transient students and not covered under the "Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Student Exchange Programs" section are eligible to participate in the Palmetto Fellows Scholarship Program through the home institution.

### 62-345 Students with Disabilities

A. Palmetto Fellows who qualify under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 must meet all eligibility requirements as defined in Section 62-315 except for a student who is approved by the Disability Services Provider to be enrolled in less than full-time status is eligible to receive scholarship funding. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

B. For renewal, Palmetto Fellows who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 must meet all renewal requirements as defined in Section 62-335 except for a student not meeting the annual credit hour requirement who is approved by the Disability Services Provider to be enrolled in less than full-time status or less than the required number of annual credit hours for that academic year. Students must complete the required number of hours approved by the institutional Disability Services Provider each academic year for scholarship renewal and earn a minimum 3.0 cumulative grade point average on a 4.0 scale by the end of the academic year. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

C. The institutional Disability Services Provider must provide written documentation to the Office of Financial Aid each academic year verifying that the student is approved to be enrolled in less than full-time status or less than the required annual credit hours.

D. Palmetto Fellows who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 are eligible to receive up to the maximum number of available terms and available funds as stated in 62-365.

#### 62-350 Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Student Exchange Programs

A. Students enrolled in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs that receive full-time academic credit and are approved by the home institution are eligible to receive Palmetto Fellows Scholarship funds during the period in which the student is enrolled in such programs. Students will be required to meet the continued eligibility requirements as stipulated in Section 62-335.

B. Students who enroll in one term of the academic year at the home institution and also enroll in an internship, cooperative work program, travel study program, or National or International Student Exchange Program that is approved by the home institution but does not receive full-time academic credit during the same academic year must complete 15 credit hours and earn a 3.0 cumulative grade point average on a 4.0 scale within the academic year to be eligible for scholarship renewal for the next academic year. The student may continue to be eligible to receive the Palmetto Fellows Scholarship for up to a total of eight terms at all public or independent institutions attended.

C. For students enrolling in an internship, cooperative work program, travel study program, or National or International Student Exchange Program that is approved by the home institution but does not receive full-time academic credit for the entire academic year, scholarship renewal for the next academic year will be based on the prior year's eligibility. The student may continue to be eligible to receive the Palmetto Fellows Scholarship for up to a total of eight terms at all public or independent institutions attended.

D. Students enrolling in an internship, a cooperative work program, a travel study program, or National or International Student Exchange Program during the academic year and did not use Palmetto Fellows Scholarship funds during this period shall be allowed to receive one term of Palmetto Fellows Scholarship funds during the succeeding summer. In order to receive Palmetto Fellows Scholarship funds for summer school, students must enroll in 12 credit hours during the summer. In order to maintain eligibility for the next academic year for students who only attend summer school at the home institution, the student must earn twelve credit hours for the academic year. For students who enroll in summer school and one other term of the academic year at the home institution, the student must earn a total of 27 credit hours for the academic year.

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The student must meet all continued eligibility requirements as specified in Section 62-335, except for the completion of the 30 credit hour requirement for the academic year.

E. Scholarship funds will be transferred to the students account for tuition and fee purposes as stated in Section A above. Eligible students may use the appropriated portion of the Palmetto Fellows Scholarship funds for internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs that receive full-time academic credit and are approved by the home institution. Palmetto Fellows Scholarship funds must be used as payment for cost-of-attendance to the home institution. The Commission on Higher Education cannot transfer scholarship funds directly to the institutions where students will participate in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs.

F. The home institution will be responsible for securing official certification of the student's cumulative grade point average, credit hours earned, verification of full-time enrollment and academic progress for the purposes of determining eligibility for scholarship renewal for the next academic year.

G. Students enrolling in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs that are approved by the home institution but do not receive full-time academic credit immediately following high school graduation shall be allowed to defer the Palmetto Fellows Scholarship for up to twelve months immediately following high school graduation provided that: 1) the student is accepted for admission as a first time-entering freshman at a participating college or university for the fall term; and 2) the participating institution agrees to defer admission for up to twelve months. Students must enroll at the institution where the award was originally reserved and must be entering college for the first time. Students will not be permitted to select a sector other than the sector where the award was originally reserved. The next academic year's eligibility is based on B and C above. Credit hours earned and accepted by the home institution for internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs can be used in the current academic year's credit hour requirement.

### 62-355 Enrollment in Doctorate of Pharmacy (Pharm.D.) Program

A. Students enrolled in a Pharm.D. Program, and who have not been granted their first bachelor's degree, are eligible to receive the Palmetto Fellows Scholarship. Scholarship funding may not exceed eight full-time equivalent terms. Students must meet all other eligibility criteria as set forth in the program regulations.

### 62-360 Appeals Procedures

A. The Commission on Higher Education shall define the procedures for scholarship appeals.

B. A student is allowed to submit only one appeal each academic year.

C. A student who does not meet the continued eligibility criteria for renewal of the Palmetto Fellows Scholarship forfeits continued participation in the program and may request an appeal based on extenuating circumstances.

D. A student wishing to appeal any non-renewal decision based on extenuating circumstances must submit the following source documents to the Commission on Higher Education by no later than the established deadline of the academic year the scholarship is requested:

- (1) A completed application for appeal
- (2) A letter requesting an appeal describing the extenuating circumstances

- (3) An official transcript(s)
  - (4) Any other supporting documentation to substantiate the basis for the appeal
- E. A student who fails to submit an appeal by the required deadline will result in forfeiture of the award.
- F. The Palmetto Fellows Scholarship shall be suspended during the appeal period.
- G. The Appeals Committee's decision is final.

#### 62-365 Institutional Disbursement of Scholarship Awards

- A. The institution will identify award amounts, which cannot exceed \$5,000 per eligible student per academic year. Half of each scholarship shall be disbursed during the fall term and half disbursed during the spring term of each year, assuming continued eligibility. The maximum cumulative amount that may be received by one recipient shall be \$20,000 for eight terms of full-time study leading to the first baccalaureate degree. The Commission on Higher Education may periodically adjust the amounts of the award pursuant to Title 59, Chapter 104-20 of Act 629.
- B. The Palmetto Fellows Scholarship may not be applied to a second baccalaureate degree or to graduate coursework; in the event of early graduation, the Scholarship award is discontinued.
- C. It is the institution's responsibility to ensure that no ineligible student receives a scholarship award.
- D. The institution shall be responsible for securing institutional certification of each recipient's cumulative grade point average, credit hours attempted and completed, verification of full-time enrollment, and academic satisfactory progress for purposes of determining eligibility for award renewal. The Palmetto Fellows contact person shall also be responsible for funds received by the institution in its capacity as the Commission's fiscal agent.
- E. After the last day to register for each term of the academic year, the institution will verify enrollment of each recipient as a South Carolina resident who is a full-time baccalaureate-seeking undergraduate student. A listing of recipients with projected disbursement of funds for the academic year will be sent to the Commission on Higher Education with the institution's request for the term's funds. A year-end reconciliation report will be submitted to the Commission prior to June 30. Unused funds shall be refunded to the Commission no later than June 30 of each fiscal year.
- F. Although a student may be named a Palmetto Fellow, the student may not receive a monetary award if the award, when added to other financial resources, would cause the student to receive total assistance in excess of the student's cost-of-attendance as defined by Title IV regulations and these Guidelines.

#### 62-370 Award Notification

- A. Participating institutions as well as the Commission shall provide an award notification to the Palmetto Fellows Scholarship recipients identified by the Commission. Institutional letters must specify the terms and conditions of the scholarship along with other financial aid awarded. The Commission for documentation purposes will require written acceptance of the Palmetto Fellows Scholarship and terms for the award.
- B. Participating institutions will notify students of all adjustments in the Palmetto Fellows Scholarship award that may result from an over-award, changes in eligibility, changes in the student's residency or financial status, or other matters.

#### 62-375 Refunds/Withdrawals



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A. Should a student recipient withdraw from school during the term in which a Palmetto Fellows Scholarship award was received, the student shall be required to repay the appropriate amount in accord with the institution's approved refund policy. Collection is the responsibility of the institution.

B. Any refund resulting from a recipient's withdrawal from school or some other form of disqualification or adjustment in funds awarded shall be returned to the Commission on Higher Education for redistribution to other Palmetto Fellows.

### 62-380 Institutional Eligibility

A. In order for a public or independent institution to be considered eligible to accept funds on behalf of students assisted under the provisions of this program, an institution must be an accredited, degree-granting, nonprofit, baccalaureate-granting, senior institution of higher education whose main headquarters are in the State. Eligible independent institutions must be participants in the South Carolina Tuition Grants Program as defined in Chapter 113 of Title 59 of the 1976 Code.

B. In order to be a participating institution in the Palmetto Fellows Scholarship Program, an agreement must be filed with the Commission on Higher Education by the institution's Chief Executive Officer. The agreement will be binding until such time as revisions are made in the regulations. At that time, a new agreement must be filed in order to continue participation. The agreement shall certify that the institution will:

(1) Act as the student's agent to receive and deliver funds for use under the program;

(2) Maintain individual recipient records and furnish periodic reports and other pertinent information as may be required by the Commission on Higher Education or the General Assembly; and

(3) Confirm that the Palmetto Fellows Scholarship contact person for the program on campus will be the official designated by the Chief Executive Officer as the primary representative for the Palmetto Fellows Scholarship Program and identify that individual by name.

### 62-385 Program Administration and Audits

A. The Commission shall be responsible for the oversight of functions (e.g., rules, regulations, policies) relative to this program with participating institutions, including allocation of funds, promulgation of guidelines and regulations governing the Palmetto Fellows Scholarship Program, any audits, or other oversight as may be deemed necessary to monitor the expenditures of scholarship funds.

B. In instances where the equal division of appropriated funds between the Need-based Grants and the Palmetto Fellows Scholarship Program exceeds the capacity to make awards in either program, the Commission on Higher Education shall re-allocate the remaining funds between the two programs until these programs are fully implemented in FY 2000-2001, after which an equal division between the two programs shall be maintained.

### 62-390 Suspension or Termination of Institutional Participation

A. The Commission may review institutional administrative practices to determine institutional compliance with rules and regulations, pertinent statutes, and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations or guidelines, the Commission may suspend, terminate, or place certain conditions upon the institution's continued participation in the program and require reimbursement to the Palmetto Fellows Scholarship Program for any funds lost or improperly awarded.

B. Upon receipt of evidence that an institution has failed to comply with program rules, regulations, or guidelines, the Commission on Higher Education shall notify the institution in writing of the nature of such allegations and conduct an audit.

C. If an audit indicates that a violation or violations may have occurred or are occurring at any public or independent college or university, the Commission on Higher Education shall secure immediate reimbursement from the institution in the event that any funds were expended out of compliance with the provisions of the Act, any relevant Statutes, pertinent rules, and these regulations.

**Preliminary Fiscal Impact Statement:**

There will be no increased costs to the State or its political subdivisions.

Document No. 2581  
**DEPARTMENT OF INSURANCE**  
Chapter 69

Statutory Authority: 1976 Code Sections 38-3-110, et seq., 1-23-110, et seq., 38-43-106.

69-50. Continuing Insurance Education.

**Synopsis:**

The purpose of this amendment to Regulation 69-50 is to clarify and improve the current continuing education requirements placed on licensed agents.

**Instructions:**

Amend Regulation 69-50 as provided below.

**Text:**

R. 69-50. Continuing Insurance Education.

I. Purpose.

The purpose of this regulation is to establish rules and standards which shall apply to continuing insurance education for individuals qualified or licensed to act as insurance agents in this State.

II. Scope.

A. The rules contained in this regulation shall apply to all individuals qualified or licensed to act as insurance agents in this State, including nonresident insurance agents, except:

1. Insurance agents licensed solely for credit life or credit accident and health insurance, credit property insurance, crop hail insurance, automobile physical damage insurance, mortgage guaranty, or mortgage, title, travel accident and baggage, or federal crop insurance; and

2. Insurance agents licensed solely for domestic insurance companies with less than one million dollars in written premiums in any calendar year; and

3. Licensed special agents; and

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4. Licensed agents reaching the age of fifty-five, for any lines of authority for which they have a minimum of twenty years of continuous licensure; and

5. Nonresident agents who have successfully satisfied continuing insurance education requirements of their resident state, regardless of the requirements of that other state.

B. Agents claiming exemption under any of the categories listed above must certify in writing by May 1<sup>st</sup> of the biennial compliance year such exemption on a form prepared by the continuing education administrator. If the agent fails to file this form, then the agent must comply with these continuing insurance education requirements.

### III. Definitions.

A. When used with these regulations, the following definitions apply:

1. "Compliance Deadline" means 5 P.M. on May 1<sup>st</sup> of even-numbered years.

2. "Course" means an organized, outlined body of information intended to convey knowledge or information to the agent.

3. "Approved Course" is a course offered in a classroom environment that is approved by the South Carolina Department of Insurance for continuing insurance education credit. Approved courses may include information on specific insurance products approved for sale in the state, relevant state or national laws, taxation related to insurance, insurance practices, ethics, claim procedures and policyholder relations. Approved courses shall not include courses or portions of courses for personal development, motivation or personal enrichment. Approved courses must be led or monitored by an approved instructor.

4. "Classroom" is a location conducive to learning, and may include a traditional classroom, an auditorium or other meeting place, which provides an environment suitable for the transfer of information.

5. "Classroom Hour" is at least fifty minutes of participation in an approved course in a classroom. Not more than ten minutes of any sixty-minute period may be used for breaks, roll taking or administrative instructions.

6. "Self-study Hour" is a study period of one hundred minutes or more from an approved course followed by a competency examination. Self-study hours may include textbook study, video study, distance learning, intranet, internet, CD-ROM and any other electronic means of information communication.

7. "Credit Hour" is a value assigned to an approved course by the Department.

8. "Competency Examination" is a closed book examination taken and passed by the agent without assistance and personally monitored by an approved proctor or approved instructor who is not related to the agent, his immediate supervisor or his employee. Any objective examination must include a minimum of fifty (50) questions. Examinations may be administered at any appropriate site chosen by the proctor or instructor. Sponsors may have their examinations administered at approved national testing organizations.

9. "Approved Instructor" means an individual who has been approved by the Department of Insurance in accordance with Section V of this regulation and who teaches or otherwise instructs an approved continuing education course or program. The individual must have competency in the subject matter of the course.

10. "Approved Proctor" means an individual who has been approved in accordance with Section VI of this regulation by the Department of Insurance to personally monitor competency examinations.

11. "Approved Sponsor" is a responsible organization which demonstrates it is capable of offering, conducting and maintaining quality controls of courses. Approved sponsors may include licensed insurance companies, agents associations, insurance trade associations, private organizations and institutions of higher learning. A sponsor must be approved by the Department.

12. "Department" means the South Carolina Department of Insurance.

13. "Product-Specific" or "Specific Insurance Products" means information about a particular policy, procedure or coverage. This includes, but is not limited to, special rating information, special underwriting practices, and specialized or unique claim procedures of a company or group of companies.

14. "Director" means the Director of the Department of Insurance or his designee.

#### IV. Course Approval.

A. Approved Sponsors of courses presented for approval under these definitions shall submit to the Department at least thirty (30) days in advance of the date on which the course is to be held an application for approval, which shall include the following: (1) A detailed outline of the course, (2) a timetable, (3) a list of supplemental teaching aids, (4) a sample competency examination if the course is self-study (5) course material and (6) a nonrefundable filing fee established by the Department. No course may be offered until written notification of its approval has been issued by the Department. Incomplete submissions will be disapproved and the application will be returned to the sponsor. Once approved, courses may be offered without additional notice subject to Section IX (D) as long as the course content is unchanged. The Director has the discretion to develop different standards for approval of courses offered by accredited institutions of higher learning, and to waive independent approval of courses offered by nationally recognized industry organizations.

B. Courses will be approved for a period of not more than three (3) years from the approval date. Sponsors may reapply for course approval after three years.

C. Approved Sponsors of approved courses are responsible for collecting accurate attendance records as well as maintaining records containing the names of agents who completed all sessions of the approved course, or who successfully completed the competency examination for courses approved for self-study for a three-year period following the date of approved course completion.

D. Approved Sponsors are responsible for the actions of their instructors and proctors.

#### V. Instructor Approval.

A. Instructors must be approved by the Department of Insurance before teaching any course. The application packet must be submitted by an approved sponsor thirty (30) days prior to the instructor teaching any course and must include the following: (1) a properly completed instructor approval application; (2) documentation of one of the following: (a) a college degree from an accredited institution of higher learning, (b) a professional designation of CLU, CPCU or similar designation from a recognized industry association, or (c) three or more years of practical experience in the subject matter; and (3) a nonrefundable filing fee to be established by the Department of Insurance. Incomplete submissions will be returned to the sponsor. Approved instructors shall certify under oath they have not been convicted of a crime of moral turpitude, nor a felony under USC 18 §1033 and §1034, nor have they been subject to an order of revocation, suspension or other formal disciplinary action by any licensing authority.

B. Instructors will be approved for a period of not more than three (3) years from the approval date. Instructors may reapply for approval after three (3) years.

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C. Instructors must ensure that attendees do not use class time for any purpose other than learning the material being presented. Instructors should deny credit to anyone who is inattentive or who does not attend the entire classroom session.

### VI. Proctor Approval.

A. Proctors must be approved by the Department of Insurance before proctoring any examination. The application packet must be submitted thirty (30) days in advance of monitoring any examination and must include the following: (1) a properly completed proctor approval application, (2) documentation of at least a high school diploma, or its equivalent and (3) a nonrefundable filing fee to be established by the Department of Insurance. Incomplete submissions will be disapproved and returned to the applicant. Approved proctors shall certify under oath they have not been convicted of a crime of moral turpitude, nor a felony under USC 18 § 1033 and § 1034, nor have they been subject to an order of revocation, suspension or any other formal disciplinary action in any state.

B. Proctors will be approved for a period of not more than three (3) years from the approval date. Proctors must reapply for approval after three years.

C. Proctors are responsible for returning all examination material to the sponsor within two business days following the completion of the examination.

D. Proctors are responsible for monitoring test sites to ensure fairness.

### VII. Certification.

A. Approved Sponsors of approved courses must submit class rosters to the continuing education administrator according to the following timetable:

1. Approved classroom course or seminar - within thirty (30) days of completion of the course or seminar;
2. Approved self-study course - within thirty (30) days of the examination completion date;
3. Approved national designation courses - within sixty (60) days of examination completion date.

However, in a biennial compliance year, the Continuing Education Administrator must receive all rosters by the compliance deadline. If the compliance deadline falls on a holiday or weekend, then rosters may be received on the first business day immediately thereafter. The Continuing Education Administrator must receive class rosters for those who have been granted an extension pursuant to Section XII of this regulation by 5 p.m., July 1<sup>st</sup>. If July 1<sup>st</sup> falls on a holiday or weekend, then rosters may be received on the first business day immediately thereafter. Rosters must be properly completed, typewritten or computer-generated and contain the names and identification numbers of agents who completed all sessions of the approved course, or who successfully completed the competency examination for courses approved for self-study. The sponsor must examine the course completion records to determine the integrity of the grades and courses reported to the Continuing Education Administrator. Incomplete or inaccurate rosters will be returned to the sponsor. Subsequent submissions of any roster that has been returned must include a letter from the sponsor explaining corrections made.

B. Approved Sponsors of approved courses are required to provide a certification of course completion to each individual who successfully completes an approved course or an approved self-study course within thirty (30) business days after the course is completed or the competency examination results are received.

Verification of the accuracy of the certification provided by the Approved Sponsor remains the responsibility of the agent.

C. An agent who successfully completes an approved course may not repeat the course and receive certification within three years of its original completion date.

D. Instructors of approved courses shall be given a certification equal to the number of hours for which the course is approved.

E. Agents who accumulate credits in excess of the continuing insurance education requirements may apply these additional credits to the next biennial continuing insurance education period. No more than twelve (12) additional credit hours in the line of authority in which they are earned may be carried forward to the next biennial continuing insurance education period.

#### VIII. Forms.

The following items must be submitted to the Director on forms specified or approved by the Director: (1) applications for sponsorship, (2) applications for course approvals, (3) applications for instructor approval, and (4) applications for proctor approval. Class completion rosters and individual course completion certificates must be submitted to the Continuing Education Administrator on forms specified or approved by the Department.

#### IX. Advertising.

A. No course may be advertised as an approved course until written confirmation of the course approval has been received from the Department.

B. Announcements, advertisements and information about courses designated as approved courses by the Department shall contain the statement, "This course is approved by the South Carolina Department of Insurance for Continuing Insurance Education Credit," followed by a statement of the number of credit hours and the type of license to which the credit may apply. If the course offering contains material which is not approved, the announcement, advertisement or information must clearly state the amount of course time which is not approved for continuing insurance education credits.

C. Announcements, advertisements or information about approved courses shall contain clear and concise statements about the cost of the course, cancellation procedures and tuition refund policies.

D. Classroom course schedules must be submitted by the sponsor to the Department of Insurance fifteen (15) days in advance of the course or seminar being presented. The course schedule must include the following information: (1) name of the approved course(s), (2) name(s) of the approved instructor(s) teaching the course(s), and (3) date, time and place where the course(s) is being presented.

#### X. Fees.

Every agent subject to continuing insurance education requirements pursuant to Section 38-43-106 is responsible for payment of a reasonable annual fee to the continuing education administrator for operation of the continuing insurance education program. Agents who fail to pay the continuing education record keeping fee by the compliance deadline must pay to the Department of Insurance, for submission to the State's General Fund, a late fee to be established by the Department in addition to paying the continuing education record keeping fee to the Continuing Education Administrator. Agents who fail to pay the late fee and the continuing education record keeping fee by 5 p.m. on June 1<sup>st</sup> of the compliance year will be subject to an administrative fine, payment of the late fee and the continuing education record keeping fee. Failure to pay the administrative fine, late fee and continuing education record keeping fee by 5 p.m. July 1<sup>st</sup> of the compliance year will result

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in denial of continuing insurance education certification and nonrenewal of the licenses held as of 5 p.m. on September 30<sup>th</sup>, of the compliance year.

### XI. Non-Compliance.

A. The Director shall have the authority to conduct surveys of agents, approved sponsors or approved instructors to verify that the approved courses are administered as filed with the Department, and to determine compliance with Section 38-43-106 and the regulations contained herein.

B. The failure of approved sponsors, instructors and proctors to comply with the provisions of Section 38-43-106 or with the provisions of these regulations may result in a fine of not less than \$1,000.00, suspension of approval or termination of approval status.

C. Non-compliance with the provisions of Section 38-43-106 or the provisions of this regulation by an agent subject to the continuing insurance education requirements shall result in the nonrenewal of the agent's license on the annual license renewal date and the removal of the agent's qualifications to act as an insurance agent in this State.

### XII. Extension.

An agent unable to complete continuing insurance education requirements as required by this regulation, may request an extension from the Continuing Education Administrator. The request for an extension must be in writing and must be postmarked on or before May 1<sup>st</sup> of the biennial compliance year. A written request may also be sent by fax. The written request for an extension shall be automatically granted for a period of not more than sixty (60) days. The extension will expire at 5 p.m. on July 1<sup>st</sup> of the biennial compliance year.

### XIII. Hardship.

In order to qualify for a hardship extension, an agent first must have received an extension as provided in Section XII of this regulation. Hardship extension requests may only be granted for good cause shown, with the recommendation of the continuing education administrator and the approval of the Director. For purposes of this section, "good cause" includes, but is not limited to, illness or catastrophic events beyond the control of the agent, which preclude the agent from conducting normal work activities. The agent must provide sufficient justification for this hardship extension. Failure of agents to complete the continuing insurance education requirements within the extension period shall result in the nonrenewal of the agent's license on the annual license renewal date and the removal of the agent's qualifications to act as an insurance agent in this State.

### XIV. Administration of Continuing Education Requirements.

The Director is responsible for administering the continuing insurance education requirements contained in Section 38-43-106 and in this regulation, and is responsible for the approval of courses of instruction which qualify for these purposes. In administering this program, the Director in his discretion, may designate a continuing education administrator within the Department, or, in the alternative, contract with an outside service provider to function as continuing education administrator and to provide record-keeping services.

### **Fiscal Impact Statement:**

No additional state funding is requested.

Document 2602  
**DEPARTMENT OF NATURAL RESOURCES**  
 CHAPTER 123  
 Statutory Authority: 1976 Code Section 50-11-2200

**Synopsis:**

This amended regulation sets seasons, bag limits and methods of hunting and taking of wildlife on Wildlife Management Areas. Amendments are needed to make changes and add new WMA's.

**Instructions:** Amend Regulation 123-40 to include additional WMA's.

123-40 Hunt Units and Wildlife Management Area Regulations

**1.2(G) Francis Marion National Forest**

During still gun hunts there shall be no deer hunting or shooting from, on or across any road open to vehicle traffic. No buckshot on still gun hunts.

Total of 8 deer for all gun hunts, on the Francis Marion. Either-sex hunts as announced.

Hellhole WMA

Deer

Archery

Designated days or periods between Aug. 15 and Jan. 1.

2 deer per day, either-sex, hogs

Primitive Weapons

Designated days or periods between Aug. 15 and Jan. 1. hogs

2 deer per day, buck only, either-sex days as announced,

Still Gun Hunts

Designated days or periods between Aug. 15 and Jan. 1.

2 deer per day, buck only, either-sex days as announced, hogs

Dog Hunts

Designated days or periods between Aug. 15 and Jan. 1.

2 deer per day, buck only, either-sex days as announced, hogs

Waterhorn WMA

Deer

Archery

Designated days or periods between Aug. 15 and Jan. 1.

2 deer per day, either-sex, hogs

Primitive Weapons

Designated days or periods between Aug. 15 and Jan. 1. hogs

2 deer per day, buck only, either-sex days as announced,

Still Gun Hunts

Designated days or periods between Aug. 15 and Jan. 1.

2 deer per day, buck only, either-sex days as announced, hogs



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|  |  |   |
|--|--|---|
| Dog Hunts  | Designated days or periods between Aug. 15 and Jan. 1.   | 2 deer per day, buck only, either-sex days as announced, hogs   |
| <b>1.2(H) Moultrie</b><br>Deer   |  | Total of 8 deer for all gun hunts.  |
| <b>1.2(I) Santee Cooper</b><br>Deer  |  |   |
| Archery  | Designated days or periods between Aug. 15 and Jan. 1.   | Limit as prescribed. Only antlerless deer, spike bucks (2 points) and bucks with 4 or more points on one side are legal.                    |
| Primitive Weapons  | Designated days or periods between Aug. 15 and Jan. 1.   | Limit as prescribed. Buck Only. Only spike bucks (2 points) and bucks with 4 or more points on one side are legal. Either-sex as announced. |
| <b>1.2(K) Tillman Sandridge WMA</b><br>Small Game<br>(No small game hunting during scheduled deer hunting periods.)<br>No Fox Squirrels. | Game Zone 11 seasons, but no hunting before Nov. 1 or after Mar. 1.  | Game Zone 11 bag limits.  |
| <b>1.2(M) Victoria Bluff WMA</b><br>Small Game<br>(No small game hunting during scheduled deer hunting periods.)<br>No Fox Squirrels.    | Game Zone 11 seasons, but no hunting before Oct. 15 or after Feb. 1. Shotguns Only. Shot no larger than no. 2. | Game Zone 11 bag limits.  |
| <b>1.2(O) Lewis Ocean Bay WMA</b><br>Small Game<br>No Fox Squirrels  | Jan. 2- Mar. 1   | Game Zone 7 bag limits.   |
| <b>1.2(JJ) Cartwheel Bay WMA</b><br>Small Game<br>(No small game hunting during scheduled deer hunting periods.)<br>No Fox Squirrels.    | Game Zone 7 seasons, but no hunting before Nov. 1 or after Mar. 1.   | Game Zone 7 bag limits.   |
| <b>1.2(LL) Longleaf Pine WMA</b><br>Small Game<br>(No small game hunting during scheduled deer hunting periods.)<br>No Fox Squirrels.    | Game Zone 8 seasons, but no hunting before Nov. 1 or after Mar. 1.   | Game Zone 8 bag limits.   |

**1.2(QQ) Santee Dam WMA**

Deer

Total of 8 deer per season,  
buck only, except on either-sex  
days as prescribed.

3.2 For Special Primitive Weapons Seasons, primitive weapons include bow and arrow and muzzle-loading shotguns (20 gauge or larger) and rifles (.36 caliber or larger) with open or peep sights or scopes, which use black powder or Pyrodex only as the propellant charge; ignition at the breech must be by the old type percussion cap which fits on a nipple, by flintstone striking frizzen or a  disk  of in-line muzzleloaders and muzzleloaders utilizing a shotgun primer in a disk type ignition system is permitted. During primitive weapons season and archery only seasons, no revolvers, pistols or revolving rifles are permitted. Crossbows are legal for use on WMA and private land statewide during any open season for deer, turkey or bear by a person with an **upper limb disability** provided the person, while hunting, has in their immediate possession a written statement certifying the disability. The statement, based on a physical examination by the certifying neurologist or orthopedist, shall describe the physical disability and shall state the person is not capable of operating conventional bow. A copy of the statement must be provided to the Department prior to hunting with a crossbow. Without a disability exemption crossbows may be used on WMA lands and private lands only during firearms and muzzleloader seasons for deer, turkey and bear.

10.09 Broad River Waterfowl Area is closed to all public access during the period 01 Nov. - 01 Feb. except for special hunts designated by the Department.

10.10 Impoundments on Bear Island, Samworth, Santee Coastal Reserve and Santee Delta WMAs are closed to all public access during the period 01 Nov. - 20 Jan. except during special hunts designated by the Department. All public access during the period 21 Jan. - 01 March is limited to designated areas.

10.11 Delete