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# SOUTH CAROLINA STATE REGISTER

PUBLISHED BY  
THE LEGISLATIVE COUNCIL  
of the  
GENERAL ASSEMBLY

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**Published July 26, 2002**

Volume 26 Issue No.7

This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

# ***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**

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

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## **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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 South Carolina General Assembly Home Page: [www.scstatehouse.net](http://www.scstatehouse.net)

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2360		LIFE Scholarship	1-08-03	Higher Education, Commission on
2610		In Car Camera Videotaping Equipment	1-23-03	Department of Public Safety
2629		Specific Project Stds for Tidelands & Coastal Waters	1-31-03	Department of Health and Envir Control
2663		Bonds for Water and Wastewater Utilities	2-09-03	Public Service Commission
2711		Foster Care	2-17-03	Department of Social Services
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2683	R.450 SR26-7	Requirements for Trade and Industrial Certification	2-23-03	Board of Education
2709		Nonpublic Postsecondary Institutions	2-25-03	Commission on Higher Education
2712		Residential Group Care Organizations for Children	3-30-03	Department of Social Services
2729		Fees	4-02-03	LLR: Board of Pharmacy
2731		Diseases and Health documentation	4 15-03	Clemson University
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2733		Examination	4-21-03	LLR: Board of Chiropractic Examiners
2732		Advertising and Solicitation	4-21-03	LLR: Board of Chiropractic Examiners
2730		Criminal Justice Academy Training Regulations	5-06-03	Department of Public Safety



## **2 EXECUTIVE ORDERS**

### **No. 2002-15**

**WHEREAS**, the South Carolina State Grand Jury indicted Elona Carolyn Davis on June 13, 2002, for two counts of Official Misconduct in Office at Common Law; and

**WHEREAS**, Official Misconduct in Office at Common Law is a crime of moral turpitude; and

**WHEREAS**, Elona Carolyn Davis serves on the Foster Care Review Board 2-B, Bamberg Seat; and

**WHEREAS**, Article VI, Section 8 of the South Carolina Constitution provides that "[a]ny officer of the State or its political subdivisions . . ., who has been indicted by a grand jury for a crime involving moral turpitude or who has waived such indictment if permitted by law may be suspended by the Governor until he shall have been acquitted."

**NOW, THEREFORE**, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby suspend Elona Carolyn Davis from the Foster Care Review Board 2-B, Bamberg Seat.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 17th DAY  
OF JUNE 2002.**

**JIM HODGES**  
Governor

### **No. 2002-16**

**WHEREAS**, wildfires currently burning in Horry County near Highway 501 have consumed over 1,000 acres and continue to spread and burn uncontrolled; and

**WHEREAS**, wildfire losses and commensurate threats to life and property in Horry County have reached emergency proportions; and

**WHEREAS**, by reasons of drought, low humidity, high winds, and other conditions, the forests, woodlands, farms, homes, businesses, and associated properties in Horry County are in serious danger of fires; and

**WHEREAS**, forest fires constitute a clear and present danger to public safety and welfare and to the property of citizens of this State.

**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, 1976, as amended, I hereby declare that a state of emergency exists and has existed in Horry County, South Carolina since June 16, 2002. I also hereby direct that certain assets of the South Carolina National Guard, at the discretion of the Adjutant General and in coordination with SCEMD, be placed on state duty and order the utilization of the National Guard's fire suppression personnel to take all necessary action to provide Horry County with the delivery of critical equipment and services.

The provisions of this Executive Order shall remain in full force and effect until further order of this office.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF  
THE STATE OF SOUTH CAROLINA, THIS 17<sup>TH</sup> DAY  
OF JUNE, 2002.**

**JIM HODGES**  
Governor

**No. 2002-17**

**WHEREAS**, pursuant to Executive Order 2002-16, issued June 17, 2002, a state of emergency has existed in Horry County since June 16, 2002, as a result of uncontrolled and spreading wildfires; and

**WHEREAS**, under Executive Order 2002-16, I directed certain assets of the South Carolina National Guard, at the discretion of the Adjutant General and in coordination with SCEPD, to be placed on state duty and ordered the utilization of the National Guard's fire suppression personnel to take all necessary action to provide Horry County with the delivery of critical equipment and services; and

**WHEREAS**, while fire officials continue to closely monitor the area, the fires in Horry County are currently contained and the situation is stable, with no immediate danger to public safety and welfare or the property of the citizens of this State.

**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 2002-16 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 3<sup>rd</sup> DAY OF  
JULY 2002.**

**JIM HODGES**  
Governor

#### 4 NOTICES

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### NOTICE OF CANCELLATION AND RESCHEDULING OF PUBLIC HEARING

Document No. 2736

**R. 61-62 - Air Pollution Control Regulations and Standards**

The Department of Health and Environmental Control (Department) published a Notice of Proposed Regulation in the *South Carolina State Register* on April 26, 2002, of its intent to amend Regulation 61-62 - *Air Pollution Control Regulations and Standards*. In that notice, the Department announced the date of June 13, 2002, for a public hearing before the Board of Health and Environmental Control (Board) concerning the proposed amendments. A Notice of Cancellation and Rescheduling of Public Hearing was published in the *State Register* on June 28, 2002 to cancel the June date and reschedule the public hearing for July 11, 2002. The purpose of this notice is to cancel the July date and reschedule the public hearing for August 8, 2002, due to cancellation of the Board meeting on July 11, 2002.

The public hearing has been rescheduled to be held at the regularly-scheduled Board meeting on August 8, 2002, in the Board Room of the Commissioner's Suite, Third Floor, Aycock Building of the Department of Health and Environmental Control, 2600 Bull St., Columbia, S.C. The Board meeting commences at 10:00 a.m. at which time the Board will consider items on its agenda in the order presented. The order of presentation for public hearing on August 8, 2002, will be noticed in the Board's agenda to be published by the Department 10 days in advance of the meeting. Interested persons are invited to make oral or written comments on the proposed regulation at the public hearing. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes and, as a courtesy, are asked to provide written copies of their presentations for the record. Any comments made at the public hearing will be given consideration in formulating the final version of the regulations and the SIP revision. Questions concerning this notice should be addressed to Dennis Camit, Bureau of Air Quality at (803) 898-4284.

### 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 July 26, 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 Aiken County

Construction to replace the Carolina Cancer Center and replacement of a linear accelerator.  
Aiken Regional Medical Center  
Aiken, South Carolina  
Project Cost: \$6,935,194

Affecting Cherokee County

Establishment of a cancer center with a linear accelerator at Upstate Carolina Medical Center campus.  
Spartanburg Regional Medical Center  
Gibbs Regional Cancer Center Satellite  
Gaffney, South Carolina  
Project Cost: \$4,098,000

Affecting Dillon County

Establishment of an ambulatory surgery center with one (1) endoscopy room restricted to gastroenterology procedures only.

Dillon Family Medicine, P.A. Endoscopy Center  
Dillon, South Carolina  
Project Cost: \$711,800

Affecting York County

Designation of the Perinatal Service as a Level IIE (Enhanced) with 12 bassinets.

Piedmont Healthcare System  
Rock Hill, South Carolina  
Project Cost: \$-0-

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 July 26, 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 Charleston County

Major renovation and expansion to include the construction of a new patient tower to be used for the relocation of outpatient surgery, cardiac services, and a Medical/Surgical nursing unit with no change in licensed bed capacity.

Roper Hospital, Inc.  
Charleston, South Carolina  
Project Cost: \$71,371,523

Affecting Dillon County

Establishment of an ambulatory surgery center with one (1) endoscopy room restricted to gastroenterology procedures only.

Dillon Family Medicine, P.A. Endoscopy Center  
Dillon, South Carolina  
Project Cost: \$711,800

Affecting Greenville County

Renovation for the addition of an Electron Beam Tomography Scanner at the Eastside Ambulatory Care Center.

Innervision, Inc. Electron Beam Tomography Scanner  
Greenville, South Carolina  
Project Cost: \$3,030,864

Affecting Richland County

Renovation and expansion of the Labor and Delivery areas, with no change in the licensed bed capacity.

Palmetto Richland Memorial Hospital  
Columbia, South Carolina  
Project Cost: 7,480,000

## 6 NOTICES

Affecting Sumter County

Replacement of hospital based Computerized Tomography (CT) scanner with new equipment and transfer of existing hospital-based CT to renovated area of the Cancer Treatment Center.

Tuomey Healthcare System

Sumter, South Carolina

Project Cost: \$1,447,794

Affecting York County

Designation of the Perinatal Service as a Level IIE (Enhanced) with 12 bassinets.

Piedmont Healthcare System

Rock Hill, South Carolina

Project Cost: \$-0-

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### ERRATA

This errata is to correct minor typographical, capitalization, and punctuation errors in R.61-30 and a reference as follows:

At 61-30.B(1) definition of "Actual Emissions," the word "department" as used in this definition is capitalized to read: Department.

At 61-30.B(11) definition of "Major activity," capitalize the word "activity" to read: Activity. Renumber 61-30.B(11) to B(10) to maintain alphabetical order in sequence.

At 61-30.B(10) definition of "Minor activity," capitalize the word "activity" to read: Activity. Renumber 61-30(1) to B(11) to maintain alphabetical order in sequence.

At 61-30.B(20), definition of "Regulated Pollutant," a typographical error is corrected. The references at subitems (a) and (c) are corrected from G(2)(c) to G(3)(c). There is no such section in the regulation as G(2)(c).

At 61-30.B(23) definition of "Transfer of permits," capitalize the word "Permits," to read: Permits.

At 61-30.G(1)(c)(i)(1), PH is corrected to read: pH.

At 61-30.G(2)(a)(i), under Program Administration Component, in third line, add "+" after (#Taps From 5,001 To 10,000) and before "\$0.80...."

At 61-30.G(2)(a)(i), under Source Monitoring Component, in first line, add "(" before \$250 as follows: [(\$250....

At 61-30.G(2)(a), capitalize the word "department" to "Department".

At 61-30.G(2), under source Monitoring Component, in third line, add "(" before \$1,250 and also before \$1,800 as follows: Or, [(\$1,250 x (#GW Sources)) + (\$1,800 x ....

At 61-30.H(1)(e)(ii)(3), delete the semicolon after the word "change," and replace it with a comma, to read: 3. If the determination resulted from any other cause, or if the applicant does not elect to withdraw the change, the Department shall begin a review of the new application pursuant to the relevant schedule for timely action.

At 61-30.H(1)(f)(i), the word department is capitalized to read "Department."

At 61-30.H(1)(g)(iii), in the last sentence of this section delete the word "the" which is an extra word that was inadvertently left in but should have been deleted. The sentence should read: The time period for the Department to complete a timely review shall begin on the day the notice is mailed.

At 61-30.H(2)(f) note under (f)(ii), decapitalize the second "The" in the sentence to "the."

**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 August 26, 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

Class II

Shaw Environmental  
Solutions Industrial & Environmental Services, Inc.

**ERRATA**

**DEPARTMENT OF SOCIAL SERVICES**

114-1300. General-Food Stamp Program

Text in bold print was inadvertently omitted from Document 2688, when published as final May 24, 2002, in State Register, Volume 26, Issue 5, Part Two

## 8 NOTICES

114-1335. Disqualifications and Sanctions.

A. The State will sanction an individual recipient who fails to cooperate with Food Stamp work requirements for the time periods shown below. The non-compliant recipient must serve the entire sanction period (unless they become exempt from work registration requirements, at which time the sanction is lifted) and comply with Food Stamp work requirements before eligibility may be reestablished.

- (1) First violation--one month.
- (2) Second violation--three months.
- (3) Third violation--six months.

**B. When an individual(s) recipient in the Food Stamp Program is sanctioned in another means-tested program,** such as the Family Independence Program, for failure to that the food stamp benefit will not increase as a result of the loss of income from the means-tested program until such time as he complies with Family Independence program requirements

C. When a Family Independence household receives a full-family sanction, the State will remove the non-compliant individual causing the sanction from the food stamp budget (unless he is exempt from food stamp work requirements) and any income he receives will continue to be counted in the food stamp budget. The food stamp benefit paid to the household at the time of the Family Independence case closure will not increase as a result of the loss of income from the Family Independence case closure. This process is limited to one year or until such time as the non-compliant individual complies with Family Independence program requirements or becomes exempt from food stamp work requirements, whichever is less.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

## CHAPTER 61

Statutory Authority: S.C. Code Sections 48-39-50,  
48-39-145 (as amended by 2002 Act 248)  
and 48-39-150

**Notice of Drafting:**

The Department of Health and Environmental Control proposes to amend R.61-30, *Environmental Protection Fees*. Interested persons should submit their views in writing to Debra L. Hernandez, Office of Ocean and Coastal Resource Management, S.C. Department of Health and Environmental Control, 1362 McMillan Avenue, Suite 400, Charleston, S.C., 29405. To be considered, comments should be received no later than August 26, 2002, the close of the initial drafting comment period. This notice amends a previous Notice of Drafting published on June 28, 2002. Comments received pursuant to that notice shall be considered and do not need to be resubmitted.

**Synopsis:**

Pursuant to Act 248, effective May 15, 2002, S.C. Code Section 48-39-145 was amended to raise the critical area permit application fees for minor activities which are non-commercial/non-industrial in nature and provide personal benefits that have no connection with a commercial/industrial enterprise. The proposed amendment will revise R.61-30.G.13 regarding the application fee for minor, private activities to bring the Coastal Zone Management Program fee schedule current for consistency with state law. Additionally, the proposed amendment will revise R.61-30.H.3 to add timeframes for amendment processing. R.61-30.B(22), "Time Schedules" will also be updated to add a reference to Section 48-30-150.

Legislative review will be required.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

## CHAPTER 61

Statutory Authority: 1976 Code Section 13-7-45 and Code Section 48-2-50 (1993)

**Notice of Drafting:**

The Department of Health and Environmental Control proposes to amend Section G(5) of R.61-30, *Environmental Protection Fees*. Interested persons may submit their views in writing to Mr. James Peterson, Division of Radioactive Materials, Bureau of Radiological Health, 2600 Bull Street, Columbia, SC 29201. To be considered, written comments must be received no later than 5:00 p.m. on August 27, 2002, the close of the drafting period.

**Synopsis:**

The Department proposes to revise Section G(5) in order to increase fees for radioactive material licenses. The fee increases are needed due to the mandate, under the Atomic Energy and Radiation Control Act, to recover the cost of the program through the collection of fees.

The public and regulated community are invited to recommend issues for consideration to the proposed amendment stated above.

The proposed revision will require legislative review.



## 10 DRAFTING

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: S.C. Code Section 44-1—140

#### Notice of Drafting:

The Department of Health and Environmental Control proposes to amend R.61-56, *Individual Sewage Treatment and Disposal Systems*. A Notice of Drafting was previously published in the *State Register* on May 23, 1997, on April 27, 2001, and on November 30, 2001. Interested persons may submit comments to Leonard Gordon, Division of Onsite Wastewater Management, Bureau of Environmental Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201-1708. This Notice of Drafting is being published to extend the comment period and promulgation time for this regulation amendment. All comments received previously will be considered and need not be resubmitted. New comments submitted for the current Notice must be received by 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

#### Synopsis:

This regulation and proposed amendment encompasses procedures and criteria for evaluation of sites, issuance of permits, and installation of individual waste disposal systems.

This amendment will require legislative review.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: S.C. Code Section 44-37-30 and Act 225 (May 1, 2002)

#### Notice of Drafting:

The Department of Health and Environmental Control proposes to amend R.61-80, *Neonatal Screening for Inborn Metabolic Errors and Hemoglobinopathies*. Interested persons may submit their views by writing to Kathy Tomashitis, Division of Women and Children's Services, S.C. Department of Health and Environmental Control, Box 101106, Columbia, S.C., 29211. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

#### Synopsis:

The Department is revising and modifying the regulation to address the following subjects:

-Incorporate legislative mandates regarding storage and use of blood specimens collected on filter paper for the purposes of newborn metabolic and hemoglobinopathy screening

-Incorporate legislative mandates regarding the confidentiality of information obtained as a result of newborn metabolic and hemoglobinopathy screening

-Update language which may include corrections to: improve clarity and readability; strengthen, improve and codify standards and terminology to be consistent with national and medical standards

-Incorporate legislative mandates regarding forms and documentation

-Make other pertinent changes which may fall under the scope of the proposed revisions.

Legislative review will be required.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

CHAPTER 61

Statutory Authority: S.C. Code Sections 13-7-10 *et seq.*; 13-7-40

**Notice of Drafting:**

The Department of Health and Environmental Control proposes to amend R. 61-63, *Radioactive Materials (Title A)*. Interested persons may submit comments to Pearce O'Kelley, Chief, Bureau of Radiological Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201. To be considered, comments must be received by 5 p.m. on August 26, 2002.

**Synopsis:**

The Nuclear Regulatory Commission continually updates regulations, and state regulations are amended regularly to incorporate federal updates. The Department plans to adopt into regulation the Nuclear Regulatory Commission updates as an item of compatibility. Section 274 of the Atomic Energy Act of 1954, as amended, requires that the states adopt federal regulations for compatibility. The Department intends to make changes to R. 61-63 to this extent. The intended action amends requirements for certain generally licensed industrial devices containing radioactive material (Part II), amends regulations regarding the use of respiratory protection and other controls to restrict intake of radioactive materials (Part III), updates regulations concerning personnel dosimetry (Parts V, VIII, and XI), and amends regulations governing licenses and radiation safety requirements for well logging (Part VIII). Proposed regulations will comply with 10 CFR Parts 20, 30, 31, 32, 34, 36, and 39, Final Rules, published in the Federal Register on October 7, 1999, December 18, 2000, October 24, 2000, and April 17, 2000, respectively. Legislative review will not be required.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

CHAPTER 61

Statutory Authority: S.C. Code Section 44-1-140

**Notice of Drafting:**

The Department of Health and Environmental Control proposes to amend R.61-57, *Development of Subdivision Water Supply and Sewage Treatment/Disposal Systems*. Interested persons may submit comments to Leonard Gordon, Division of Onsite Wastewater Management, Bureau of Environmental Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201-1708. All comments must be received by 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

**Synopsis:**

This regulation encompasses procedures and criteria for the evaluation of water supply sources and the use of individual waste disposal systems in subdivisions. Topics proposed for amendment may include, but are not limited to, definitions, application and approval procedures, public notification and hearings, and evaluative techniques and requirements.

This amendment will require legislative review.

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### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Section 13-7-10, 13-7-40 and 13-7-45 *et seq.* and Supplement

#### **Notice of Drafting:**

The Department of Health and Environmental Control proposes to amend Sections 2.3.1, 2.3.2, 2.10.6 and 11.3 of R.61-64, *X-Rays (Title B)*. Interested persons may submit their views in writing to Mr. Aaron A. Gantt, Director, Division of Electronic Products, Bureau of Radiological Health, 2600 Bull Street, Columbia, SC 29201. To be considered, written comments must be received no later than 5:00 p.m. on August 27, 2002, the close of the drafting period.

#### **Synopsis:**

The Department proposes to revise Sections 2.3.1, 2.3.2, 2.10.6 and 11.3 of R.61-64 in order to increase fees for initial facility registration, shielding plan review, x-ray equipment and survey instrument calibration. The fee increases are needed due to the mandate, under the Atomic Energy and Radiation Control Act, to recover the cost of the program through the collection of fees.

The public and regulated community are invited to recommend issues for consideration to the proposed amendment stated above.

The proposed revision will require legislative review.

### COMMISSION ON HIGHER EDUCATION CHAPTER 62

Statutory Authority: 1976 Code Section 59-149-10

#### **Notice of Drafting:**

The South Carolina Commission on Higher Education proposes to draft new regulations for the Legislative Incentives for Future Excellence (LIFE) Scholarship Program established under Title 59 Section 59-149-10. Interested persons may submit comments to Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1333 Main Street, Suite 200, Columbia, SC 29201. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

#### **Synopsis:**

In accordance with section 59-149-10 of the 1976 Code of Laws, the Commission on Higher Education shall promulgate regulations to set forth the administration of the LIFE Scholarship Program. The regulations will define the purpose of the LIFE Scholarship Program; program definitions; student eligibility including initial, continuing, and transfer student eligibility; terms of eligibility; regaining or earning eligibility; students with disability; enrollment in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs; refunds or repayments; appeals process; institutional policies and procedures for awarding; institutional disbursements; program administration and audits; and suspension and termination of institutional participation.

**COMMISSION ON HIGHER EDUCATION**  
**CHAPTER 62**  
 Statutory Authority: 1976 Code Section 59-150-360

**Notice of Drafting:**

The South Carolina Commission on Higher Education proposes to draft new regulation for the Lottery Tuition Assistance Program for two-year public and independent institutions established under the South Carolina Education Lottery Act. Interested persons may submit comments to Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1333 Main Street, Suite 200, Columbia, SC 29201. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

**Synopsis:**

In accordance with section 59-150-360 of the 1976 Code of Laws, the Commission on Higher Education shall promulgate regulation and establish procedures to administer the Lottery Tuition Assistance Program at the two-year public and independent institutions. The purpose of the Lottery Tuition Assistance Program is to provide resources that supplement, not supplant, existing resources for educational purposes to South Carolina's students. The program will assist students who wish to attend two-year public or independent colleges in the State. Regulation includes purpose of the Lottery Tuition Assistance Program; allocation of funds; program definitions; student eligibility; policies and procedures for awarding Lottery Tuition Assistance; duration of award and continued eligibility; students with disabilities; institutional disbursement of funds; refunds and repayments; program administration and audits; and suspension or termination of institutional participation.

**COMMISSION ON HIGHER EDUCATION**  
**CHAPTER 62**  
 Statutory Authority: Title 59 1976 Code Sections 142-20

**Notice of Drafting:**

The South Carolina Commission on Higher Education proposes to revise existing regulation for the South Carolina Need-Based Grants Program established under Chapter 142-20 Title 59 Act No. 458. Interested persons should submit their comments in writing to Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1333 Main Street, Suite 200, Columbia, SC 29201. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

**Synopsis:**

In accordance with Section 59-142-20 of the 1976 Code, revisions to the existing regulation for the South Carolina Need-based Grants Program are being considered that would include students who are pursuing a program of study that is structured so as not to require a baccalaureate degree and leads to a graduate degree to receive the grant for up to eight full-time equivalent semesters. Also included is language that would require institutions to give first priority and award the maximum allowable Need-based Grant (\$2,500 if full-time or \$1,250 if part-time) to students who are in the custody of the South Carolina Department of Social Services (DSS) due to the approval of Proviso 58.14 during the 2001 legislative session. Regulation includes purpose of the South Carolina Need-based Grants Program; allocation of grant funds to public and independent institutions; program definitions for administering South Carolina Need-based Grants at public institutions; student eligibility; policies and procedures for awarding Need-based Grants; duration of award and continued eligibility; students with disabilities; enrollment in internships, cooperative work programs, travel study programs, or

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National or International Student Exchange Programs; institutional disbursements of Need-based Grants; refunds and repayments; program administration and audits; and suspension or termination of institutional participation.

### COMMISSION ON HIGHER EDUCATION CHAPTER 62

Statutory Authority: Title 59 1976 Code Section 104-20

#### **Notice of Drafting:**

The South Carolina Commission on Higher Education proposes to revise existing regulation for the Palmetto Fellows Scholarship Program established under Section 104-20 Title 59 Act No. 458. Interested persons should submit their comments in writing to Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1333 Main Street, Suite 200, Columbia, SC 29201. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

#### **Synopsis:**

In accordance with Section 59-104-20 of the 1976 Code, revisions to the existing regulation for the Palmetto Fellows Scholarship Program are being considered so that, beginning with the 2002-03 academic year, the maximum award amount for the Palmetto Fellows Scholarship will increase from \$5000 to \$6700 per academic year. The proposed regulation also includes language that will allow students who are pursuing a program of study that is structured so as not to require a baccalaureate degree to receive the scholarship for up to eight terms (or its equivalent). Regulation includes purpose of the Palmetto Fellows Scholarship Program; funding; definitions; student eligibility; student application; selection process; policies and procedures for awarding scholarships; duration and renewal of award; transfer of scholarship; students with disabilities; enrollment in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs; appeals procedures; institutional disbursement of scholarship awards; refunds and repayments; program administration and audits; and suspension or termination of institutional participation.

### COMMISSION ON HIGHER EDUCATION CHAPTER 62

Statutory Authority: 1976 Code Section 59-150-360

#### **Notice of Drafting:**

The South Carolina Commission on Higher Education proposes to draft new regulations for the South Carolina HOPE Scholarship Program established under the South Carolina Education Lottery Act and amended under H.4879. Interested persons may submit comments to Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1333 Main Street, Suite 200, Columbia, SC 29201. To be considered, comments must be received no later than 5:00 p.m. on August 26, 2002, the close of the drafting comment period.

#### **Synopsis:**

In accordance with section 59-150-360 of the 1976 Code of Laws, the Commission on Higher Education shall promulgate regulations to set forth the administration of the SC HOPE Scholarship Program. The regulation will define the purpose of the SC HOPE Scholarship Program; funding; program definitions; student eligibility; duration of award; transfer student eligibility; students with disabilities; refunds or repayments; appeals process;

institutional policies and procedures for awarding; institutional disbursements; program administration and audits; and suspension and termination of institutional participation.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF NURSES**

CHAPTER 33

Statutory Authority: 1976 Code Sections 40-1-70(4), 40-33-270, and 40-33-935(e).

**Notice of Drafting:**

The Board of Nurses is proposing to adopt by regulation the American Nurses Association's *Code of Ethics for Nurses With Interpretive Statements* (2001 Edition), as the code of ethics for all licensed nurses. This code of ethics will provide the ethical standards referenced in Regulation 91-18 and Section 40-33-935(e), and authorized by Sections 40-1-70(4) and 40-33-270 of the 1976 Code of Laws of South Carolina, as amended. Interested persons should submit their views in writing to Martha S. Bursinger, Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329.

**Synopsis:**

This new regulation will establish the *Code of Ethics for Nurses With Interpretive Statements* (2001 Edition) of the American Nurses Association as the code of ethics applicable to all nurses licensed and practicing in this state. As a member of the nursing profession, a nurse must recognize responsibility to patients first and foremost, as well as to society, to other health professionals, and to self. The code of ethics will define the essentials of honorable behavior for the licensed nurse.

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Document No. 2746  
**BOARD OF EDUCATION**  
CHAPTER 43

Statutory Authority: S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001)

43-262.1. Basic Skills Assessment Program-Kindergarten Objectives

### **Preamble:**

Kindergarten objectives under the Basic Skills Assessment Program (BSAP) have been superceded by the South Carolina Curriculum Standards. The BSAP kindergarten objectives served as the basis for the Cognitive Skills Assessment Battery (CSAB) which was administered for the last time in fall 2001.

Section-by-Section Discussion: N/A

This regulation is being repealed in its entirety.

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

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, 2002, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons are also provided an opportunity to submit written comments on the proposed amendments by writing to Dr. Teri Siskind, Director, Office of Assessment, 1429 Senate Street, Room 607, Rutledge Building, Columbia, SC 29201 Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline shall be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increased costs to the State or its political subdivisions.

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

DESCRIPTION OF REGULATION: 43-262.1 (1991), Basic Skills Assessment Programs–Kindergarten Objectives

Purpose: Regulation 43-262.1, Basic Skills Assessment Programs–Kindergarten Objectives, is being repealed in its entirety.

Legal Authority: The legal authorities for the regulation are S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001).

Plan for Implementation: The proposed repeal will be posted on the State Department of Education's Web site for review and comment. The repeal will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: N/A

**Statement of Rationale:**

Kindergarten objectives under the Basic Skills Assessment Program (BSAP) have been superceded by the South Carolina Curriculum Standards. The BSAP kindergarten objectives served as the basis for the Cognitive Skills Assessment Battery (CSAB) that was administered for the last time in fall 2001. Therefore, this regulation needs to be repealed in its entirety.

**Text:**

**43-262.1. Basic Skills Assessment Program-Kindergarten Objectives.**

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. 2747

**BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001)

**43-262.2. Basic Skills Assessment Program-Readiness Test**

**Preamble:**

The Cognitive Skills Assessment Battery (CSAB) was administered for the last time in fall 2001. The Education Accountability Act of 1998 (EAA) required the development/selection of developmentally appropriate readiness assessments for grades one and two. The South Carolina Readiness Assessment (SCRA) fulfills the requirements of the EAA, obviating the need for the CSAB. The SCRA is identified as the readiness assessment in Assessment Program 43-262 (to be codified at Supp. 2002).

Section-by-Section Discussion: N/A

This regulation is being repealed in its entirety.

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

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, 2002, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons are also provided an opportunity to submit written comments on the proposed amendments by writing to Dr. Teri Siskind, Director, Office of Assessment, 1429 Senate Street, Room 607,



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Rutledge Building, Columbia, SC 29201 Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline shall be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increased costs to the State or its political subdivisions.

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

DESCRIPTION OF REGULATION: 43-262.2 (1991), Basic Skills Assessment Programs–Readiness Test

Purpose: Regulation, R 43-262.2, Basic Skills Assessment Programs–Readiness Test, is being repealed in its entirety.

Legal Authority: The legal authorities are S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001).

Plan for Implementation: The proposed repeal will be posted on the State Department of Education's Web site for review and comment. The repeal will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: N/A

### **Statement of Rationale:**

The CSAB was administered for the last time in fall 2001. The Education Accountability Act of 1998 (EAA) required the development/selection of developmentally appropriate readiness assessments for grades one and two. The South Carolina Readiness Assessment (SCRA) fulfills the requirements of the EAA, obviating the need for the CSAB. The SCRA is identified as the Assessment Program in 24 S. C. Code Ann. Regs. 43-262 (to be codified at Supp. 2002.) Therefore, this regulation needs to be repealed in its entirety.

### **Text:**

43-262.2. Basic Skills Assessment Program-Readiness Test.

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. 2749  
**BOARD OF EDUCATION**  
 CHAPTER 43

Statutory Authority: S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001)

43-262.6. Basic Skills Assessment Program—Writing test: Minimum Standards of student achievement; Scoring Criteria

**Preamble:**

Since the enactment of the Education Accountability Act (EAA), standards of student achievement are not promulgated as regulations. All other regulations related to BSAP Exit standards were repealed in 1999. The State Board of Education, therefore, is proposing the repeal of the BSAP Exit Exam writing standards.

Section-by-Section Discussion: N/A

This regulation is being repealed in its entirety.

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

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, 2002, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons are also provided an opportunity to submit written comments on the proposed amendments by writing to Dr. Teri Siskind, Director, Office of Assessment, 1429 Senate Street, Room 607, Rutledge Building, Columbia, SC 29201 Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline shall be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increase costs to the State or its political subdivisions.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION: R 43-262.6, Basic Skills Assessment Program—Writing test: Minimum Standards of student achievement; Scoring Criteria.

Purpose: Regulation 43-262.6, Basic Skills Assessment Program—Writing test: Minimum Standards of student achievement; Scoring Criteria, is being repealed in its entirety.

Legal Authority: The legal authorities are S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001).

Plan for Implementation: The proposed repeal will be posted on the State Department of Education's Web site for review and comment. The repeal will take effect upon approval by the General Assembly and publication in the *State Register*.

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DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: N/A

### Statement of Rationale:

Since the enactment of the Education Accountability Act (EAA), standards of student achievement are not promulgated as regulations. All other regulations related to BSAP Exit standards were repealed in 1999. Therefore, this regulation needs to be repealed in its entirety.

### Text:

43-262.6. Basic Skills Assessment Program--Writing test: Minimum Standards of Student Achievement; Scoring Criteria.

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. 2750

### BOARD OF EDUCATION

#### CHAPTER 43

Statutory Authority: S.C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001) and 59-65-250 (1990), and 59-65-270 (1990)

43-280. Creating More Effective Partnerships Among the Schools, Parents, Community and Business

### Preamble:

The State Department of Education recommends that the State Board of Education repeal R 43-280, Creating More Effective Partnerships Among the Schools, Parents, Community and Business.

The Notice of Drafting was published in the *State Register* on June 28, 2002.

### Section-by-Section Discussion

Section A Increasing the Participation of Business and Industry in the Public Schools is required by statute and is covered in the Pathways to Prosperity.

Section B Strengthening the Involvement of Parents in Their Children's Education, is covered by S.C. Code Ann. Section 59-28-100, *et seq.* (Supp. 2001), Parental Involvement in Their Children's Education Act.

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

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, 2002, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons are also provided an opportunity to submit written comments on the proposed repeal by writing to Frank White, Director, Parental and Community Partnerships, Division of District and Community Services, 1429 Senate Street, Room 808C, Rutledge Building, Columbia, South Carolina 29201 or e-mail [fwhite@SDE.State.SC.US](mailto:fwhite@SDE.State.SC.US). Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline shall be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increased costs to the State or its political subdivision.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION: R 43-280, Creating More Effective Partnerships Among the Schools, Parents, Community and Business

Purpose: Regulation 43-280, Creating More Effective Partnerships Among the Schools, Parents, Community and Business, is being repealed in its entirety. The proposed repeal will not adversely affect partnerships since the activities referenced in Regulation 43-280 are required by statute or covered in other initiatives.

Legal Authority: The legal authorities for the Regulation 43-280 are S.C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), 59-65-250 (1990), and 59-65-270 (1990)

Plan for Implementation: The proposed repeal will be posted on the State Department of Education's Web site for review and comment. The repeal will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: N/A

**Statement of Rationale:**

Section A Increasing the Participation of Business and Industry in the Public Schools is required by statute and is covered in the Governor's Pathways to Prosperity report.

Section B Strengthening the Involvement of Parents in Their Children's Education, is covered by S.C. Code Ann. § 59-28-100, *et seq.* (Supp. 2001), Parental Involvement in Their Children's Education Act.

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### Text:

**43-280.** Creating More Effective Partnerships Among the Schools, Parents, Community and Business.

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. 2748  
**BOARD OF EDUCATION**  
CHAPTER 43

Statutory Authority: S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (1990 and Supp. 2001)

43-262.5. Minimum Standards for the Determination of Readiness

### Preamble:

The CSAB was administered for the last time in fall 2001.

Section-by-Section Discussion: N/A

This regulation is being repealed in its entirety.

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

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, 2002, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons are also provided an opportunity to submit written comments on the proposed amendments by writing to Dr. Teri Siskind, Director, Office of Assessment, 1429 Senate Street, Room 607, Rutledge Building, Columbia, SC 29201 Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline shall be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increase costs to the State or its political subdivisions.

### Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: R 43-262.5, Minimum Standards for the Determination of Readiness

Purpose: Regulation 43-262.5, Minimum Standards for the Determination of Readiness, is being repealed in its entirety.

Legal Authority: The legal authorities are S. C. Code Ann. Sections 59-5-60 (1990), 59-5-65 (1990 and Supp. 2001), and 59-30-10, *et seq.* (Supp. 2001).

Plan for Implementation: The proposed repeal will be posted on the State Department of Education's Web site for review and comment. The repeal will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: N/A

**Statement of Rationale:**

The CSAB was administered for the last time in fall 2001. Therefore, this regulation needs to be repealed in its entirety.

**Text:**

43-262.5. Minimum Standards for the Determination of Readiness.

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. 2745  
**BOARD OF EDUCATION**  
CHAPTER 43

Statutory Authority: S.C. Code Ann. Sections 59-5-60 (1990) and 59-5-65 (1990 and Supp. 2001)

43-73. Disposition of Textbook Samples after State Adoption Process

**Preamble:**

The State Department of Education recommends that the State Board of Education propose amendments to R 43-73, Disposition of Textbook Samples after State Adoption Process, to revise outdated terminology and to reduce the number of sets of materials that must be kept on site at the State Department of Education.

The Notice of Drafting was published in the *State Register* on June 28, 2002.

Section-by-Section Discussion

1. In R 43-73, Section A.(1)(2)(3)(4)(5)(7) and Section B.(1)(2) are being amended to revise outdated terminology and to address an alternative plan for samples of non-textbook materials.

2. In R 43-73, Section A.(6) reduces the number of sets of materials that must be kept on site at the State Department of Education.

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

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Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the State Board of Education at its meeting on September 10, at 10:00 A.M. at the Rutledge Building, State Department of Education, Columbia, South Carolina. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes or less, and as a courtesy are asked to provide written copies of their presentation for the record.

Interested persons may also submit written comments on the proposed amendments by writing to Dr. Sandra Lindsay, Deputy Superintendent, Curriculum and Instruction, 805 Rutledge Building, 1429 Senate Street, Columbia, South Carolina 29201 or e-mail [slindsay@sde.state.sc.us](mailto:slindsay@sde.state.sc.us). Comments must be received no later than 5:00 P.M. on August 26, 2002. Comments received by the deadline will be submitted to the Board in a summary of public comments and department responses for consideration at the public hearing.

**Preliminary Fiscal Impact Statement:** There will be no increased costs to the State or its political subdivision.

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

DESCRIPTION OF REGULATION: R 43-73, Disposition of Textbook Samples after State Adoption Process

Purpose: Regulation 43-73, Disposition of Textbook Samples after State Adoption Process, is being amended. The proposed amendments will revise outdated terminology, reduce the number of sets of materials that must be kept on site at the State Department of Education, and address an alternative plan for samples of non-textbook materials. See Preamble and Section-by-Section Discussion of Proposed Revisions above.

Legal Authority: The legal authorities for the Regulation 43-73 are S.C. Code Ann. Sections 59-5-60 (1990) and 59-5-65 (1990 and Supp. 2001).

Plan for Implementation: The proposed amendments will be posted on the State Department of Education's Web site for review and comment. The amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS: N/A

DETERMINATION OF COSTS AND BENEFITS: N/A

UNCERTAINTIES OF ESTIMATES: N/A

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH: N/A

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED: There will be no detrimental effects on the environment and public health if these amendments are not implemented.

### **Statement of Rationale:**

Amendments to Regulation 43-73 (Disposition of Textbook Samples after State Adoption Process) reduce the number of sets of adopted instructional materials housed at the State Department of Education (SDE). With the availability of materials at R. L. Bryan, it is no longer necessary to use space at the SDE for multiple sets of instructional materials. Also, outdated terminology is revised in the regulation.

**Text:**

43-73. Disposition of Samples of Instructional Materials After State Adoption Process.

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. 2751  
**DEPARTMENT OF REVENUE**  
CHAPTER 129  
Statutory Authority: 1976 Code Section 12-4-320

Chapter 129 of Code of Regulations (SC Regulation 129-1) – Tax Board of Review

**Preamble:**

The South Carolina Department of Revenue is considering repealing Chapter 129 of the Code of Regulations, which consists of only SC Regulation 129-1, concerning the Tax Board of Review. This chapter is no longer needed since the Tax Board of Review no longer exists due to changes in the law.

Discussion: The South Carolina Department of Revenue is considering repealing Chapter 129 of the Code of Regulations, which consists of only SC Regulation 129-1, concerning the Tax Board of Review. This chapter is no longer needed since the Tax Board of Review no longer exists due to changes in the law. The chapter to be repealed is:

Chapter 129 of Code of Regulations (SC Regulation 129-1) – Tax Board of Review

**Text:**

No text is necessary since the proposal is only repealing a chapter in the code of regulations that is no longer needed since the Tax Board of Review no longer exists due to changes in the law.

**Notice of Public Hearing:**

The S.C. Department of Revenue has scheduled a public hearing before the Administrative Law Judge Division at the Administrative Law Judge Division in the Edgar Brown Building on the Capitol Complex in Columbia, South Carolina for Tuesday, October 15, 2002 at 10:00 a.m. if the requests for a hearing meet the requirements of Code Section 1-23-110(A)(3). The public hearing, if held, will address a proposal by the department to repeal Chapter 129 of the Code of Regulations, which consists of only SC Regulation 129-1, concerning the Tax Board of Review. This chapter is no longer needed since the Tax Board of Review no longer exists due to changes in the law.

The department will be asking the Administrative Law Judge Division, in accordance with S.C. Code Ann. § 1-23-111 (2000), to issue a report that the proposal to repeal the regulations is needed and reasonable.



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Comments: All comments concerning this proposal should be mailed to the following address by Monday, August 26, 2002

S.C. Department of Revenue  
Legislative Services - Mr. Meredith Cleland  
P.O. Box 125  
Columbia, South Carolina 29214

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

### **Summary of the Preliminary Assessment Report:**

### **Preliminary Assessment Report:**

Under the provisions of law governing the preliminary assessment report (Code Section 1-23-115), the SC Department of Revenue will address items (1) through (3) of Code Section 1-23-115(C) as follows:

1. The purpose of this proposal is to repeal Chapter 129 of the Code of Regulations, which consists of only SC Regulation 129-1, concerning the Tax Board of Review. This chapter is no longer needed since the Tax Board of Review no longer exists due to changes in the law.

The authority for repealing this chapter in the code of regulations can be found in Code Section 12-4-320. The Department of Revenue will implement this proposal in the same manner as it implements all other regulations.

2. The proposal to repeal this chapter in the code of regulations is needed to reduce any taxpayer confusion that may result from having published regulations that are no longer needed since the Tax Board of Review no longer exists due to changes in the law. The authority for repealing this chapter in the code of regulations can be found in Code Section 12-4-320. The proposal to repeal these regulations is also reasonable in that it is the department's responsibility to maintain regulations that are up-to date and consistent with the law.

3. This proposal to repeal these regulations will benefit taxpayers because it will reduce any taxpayer confusion by eliminating regulations that are outdated. This regulation is cost effective for the same reasons.

Under the provisions of law governing the preliminary assessment report (Code Section 1-23-115), the SC Department of Revenue will address items (9) through (11) of Code Section 1-23-115(C) as follows:

9. There is very little uncertainty associated with estimating the benefits of this regulation. All individuals would be similarly treated by these provisions.

10. The proposal would not have any effect on the environment and public health.

11. If the proposal is approved, there would not be a detrimental effect on the environment and public health.

Document No. 2683  
**BOARD OF EDUCATION**  
CHAPTER 43

Statutory Authority: 1976 S.C Code Section 59-5-60 (1990)

43-63. Requirements for Trade and Industrial Certification

**Synopsis:**

The State Board of Education proposes to amend 24 S.C. Code Ann. Regs. 43-63 (Supp, 2000), Requirements for Trade and Industrial Certification, as indicated in the Drafting Notice of July 27, 2001. The proposed amendments clarify requirements for those individuals seeking a teaching certificate in work-based career and technology areas in South Carolina.

**Section-by-Section Discussion**

1. In R 43-63, Section A., new text is added to change Trade and Industrial Education to Career and Technology Education. The proposed amendment changes the certification requirements for the engineering/industrial technology cluster; some courses in the family and consumer sciences cluster; the health science technology cluster; the hospitality and tourism cluster; and the information technology cluster. An associate degree minimum is required in all areas except the engineering/industrial technology cluster.

2. In R 43-63, Section B., there were no changes.

3. In R 43-63, Section C., language is inserted to change Trade and Industrial Education to Career and Technology Education to expand the areas included in the regulation. The section on Citizenship is deleted because it is covered elsewhere. The names of programs are updated.

4. In R 43-63, Section D., language is inserted to change Trade and Industrial Certification to Career and Technology Work-based Certification. Individuals seeking certification are required to take a competency examination related to the area of instruction instead of a trade examination. The Education Entrance Examination is changed to a basic skills examination. Provisional certification is replaced with induction certification.

5. In R 43-63, Section E., language is inserted to change post-secondary semester hours required to reflect current requirements. The number of required years of related-work experience needed to qualify for an initial work-based teaching certificate is changed. The levels of certification are restructured to expand opportunities for some of the other program areas in Career and Technology Education.

6. In R 43-63, Section F., language is inserted to change certificate terminology to reflect updated language. Semester hour requirements are replaced with competency-based coursework.

7. In R 43-63, Section G., language is inserted to update terminology to reflect the intent of the regulation.

8. In R 43-63, Section H., the word "trade" is replaced with the word "area" to reflect the inclusion of other program areas in addition to engineering/industrial technology. The definition of part-time work experience is changed to mean work experience related to the area of certification.

9. In R 43-63, Section I., language is inserted to allow local districts to assume responsibility for hiring individuals with documented work-based expertise to teach Career and Technology Education courses where no certified teacher is available.

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10. In R 43-63, Section J, the stipulation that guidelines relating to requirements in this regulation are the responsibility of the State Department of Education has been added.

**Instructions:** Replace in its entirety 24 S.C. Code Ann. Regs. 43-63 (Supp, 2000), Requirements for Trade and Industrial Certification, which is under Chapter 43, Article 3, Requirements for Teacher Education and Certification Regulations, with the following amended text. Change the title for Regulation 43-63, Requirements for Trade and Industrial Certification, which is under Chapter 43, Article 3, with the following new title, 43-63, Requirements for Career and Technology Education Work-Based Certification.

### **Text:**

**43-63.** Requirements for Career and Technology Education Work-Based Certification.

#### A. POLICIES AND REGULATIONS GOVERNING CERTIFICATION

The policies and regulations governing the certification requirements for Career and Technology Education educators as presented in this document replace all such procedures and regulations approved prior to this publication, except as indicated.

(1) Certificates are issued in levels based on educational background and experience in the field in which the certificate is requested. The level of the certificate is used to determine salary.

(2) Career and Technology Education Program Areas Covered in This Regulation

(a) Engineer/Industrial Technology Cluster: All courses in this program area are included in this regulation. Entry level into teaching these courses shall be defined in this regulation.

(b) Family and Consumer Sciences Cluster: The courses covered in this program area are Clothing and Interior Design, Culinary Arts, and Early Childhood. An associate degree is the minimum requirement for entry level into teaching these courses.

(c) Health Science Technology Cluster: All courses in this program area are included in this regulation. An associate degree is the minimum requirement for entry level into teaching these courses.

(d) Hospitality and Tourism Cluster: All courses in this program area are included in this regulation. An associate degree is the minimum requirement for entry level into teaching these courses.

(e) Information Technology Cluster: All courses in this program area are included in this regulation. An associate degree is the minimum requirement for entry level into teaching these courses.

#### B. PERSONS REQUIRED TO HOLD A CERTIFICATE

(1) A valid South Carolina educator's certificate is required of each individual employed in an instructional or classroom teaching position in a public school of this state.

(2) Each individual who serves in a position designed for the support of the instructional program is also required to hold the appropriate South Carolina educator's certificate.

#### C. REQUIREMENTS FOR CERTIFICATION

(1) The applicant must meet all requirements for certification that are in effect on the date of receipt by the Office of Teacher Certification, Division of Teacher Quality, of all required documentation. The responsibility for providing accurate and complete documentation of eligibility is that of the applicant.

(2) Age requirement: A person must be at least 18 years of age before making application for an educator's certificate.

(3) The Application

(a) The statement of qualifications or appropriate educator's application should be secured from the Office of Teacher Certification, Division of Teacher Quality, State Department of Education, Columbia, South Carolina 29201. The completed application should be submitted to the same address.

(b) The applicant will be informed in writing after the application is received what documentation is necessary to complete the certification process.

(4) Documentation Required

(a) Verification of all work experience in the field for which the applicant wishes to be certified must be provided (Forms available). Work experience completed while in the armed forces may be validated by providing official military documents certified as true copies by a notary public. These documents must show what the work experience was and the time served in that field.

(b) Two (2) technical references from employers in the area for which the applicant wishes to be certified must be provided (Forms available).

(c) A notarized copy of high school diploma or state high school equivalency certificate.

(d) Official transcripts of any college or technical college credit must be provided. Transcripts must be sent directly from the registrar and bear the seal of the issuing institution (Request form available).

(e) Copies of certificates of completion of any industry-sponsored training must be sent directly from the sponsoring agency or company. Copies certified as a true copy of the original by a notary public may be provided by the applicant.

(f) Successful completion of the approved competency examination and basic skills examination as approved by the State Board of Education is required

(g) Applicants in Cosmetology and Barbering shall provide copies of their South Carolina Board of Cosmetology Licenses. These copies must be certified as true copies by a notary public. This documentation is accepted in lieu of the approved competency examination.

(h) Applicants in Health Science Technology shall provide copies of active, nationally recognized health professions licenses, certificates, or registrations. The requirements for the licensure, certification, or registration must include at least two (2) years of formal postsecondary education in addition to the program prerequisites. These copies must be certified as true copies by a notary public. This is used in lieu of the approved competency examination.

(i) Applicants for certification must successfully complete the approved program designed to prepare these prospective Work-Based Certified Career and Technology Education educators for the instructional environment. The program components will include, but not be limited to, a two-week (10-day) institute, training seminars, and professional development meetings. Successful completion of the two-week institute is a requirement for issuing the certificate. Applicants are expected to meet the standards for all Career and Technology Education educators as outlined in the guidelines which may include additional preparation.

#### D. CERTIFICATION EXAMINATIONS

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(1) Certification examinations are required of all educators certified under the Career and Technology Education Work-Based Certification process. Examinations may include the following:

(a) Competency Examination

(i) The successful completion of a related competency examination is a prerequisite to issuance of the professional Career and Technology Education certificate. The required examination and minimum qualifying scores acceptable for certification in each area are determined by the State Board of Education.

(ii) Applicants not bearing proof of competence (i.e., nationally recognized certification, licensure, or registration) must pass a nationally recognized competency examination within two (2) years of application. Refer to the guidelines for accepted certification, licensure, or registration.

(b) Basic Skills Examination

(i) Successful completion of the basic skills examination is prerequisite to issuance of the professional Career and Technology Education certificate. The required minimum qualifying score is determined by the State Board of Education.

(ii) The exam must be taken during the first year of induction certification. The candidate will have five years to successfully pass the examination.

#### E. EDUCATION AND WORK EXPERIENCE REQUIRED FOR CERTIFICATE CLASSIFICATION

(1) The classification of the educator's certificate is determined by the applicant's level of formal education and formal work experience and the degree to which that education and formal work experience are appropriate to the area in which certification is desired. An appropriate degree shall include a minimum of 30 semester hours of course work appropriate to the field of certification. The requirements for achieving these classifications are to be met in conjunction with the requirements delineated on pages 1 and 2. The Career and Technology Education educator's certificate classifications are as follows:

(2) Levels of Certification

(a) Level VIII- Doctorate

(i) An applicant shall have an earned doctoral degree in accordance with State Board of Education regulations, shall meet requirements in an initial area of certification, and have at least six months of work experience related to the area of certification and/or internship (at least 21 hours in a concentrated field of study).

(ii) The certificate is valid for a five-year period after obtaining a professional certificate.

(b) Level VII - Specialist

(i) An applicant shall have a master's degree in accordance with State Board of Education regulations in an initial area of certification. Also required are thirty (30) semester hours beyond the master's degree of which twenty-one (21) hours must be in a concentrated area of study. Further, the applicant must have at least six months of work experience or an internship related to the area of certification.

(ii) The certificate is valid for a five-year period after obtaining a professional certificate.

(c) Level I - Career And Technology Education

(i) An applicant shall have earned a master's degree in accordance with State Board of Education regulations, shall meet requirements in an initial area of certification, and have at least six months of full-time work experience and/or internship related to the area of certification. The certificate is valid for a five-year period after obtaining a professional certificate; OR

(ii) Bachelor's Degree:

(a) Bachelor's Degree and eighteen (18) semester hours post-baccalaureate credits in an appropriate field plus one (1) year of full-time work experience or internship related to the area of certification OR

(b) A Bachelor's Degree in an appropriate field plus two years of full-time work experience and/or internship related to the area of certification; OR

(iii) No Bachelor's Degree:

(a) Successful completion of three (3) years of college (ninety [90] semester hours or equivalent) in an approved postsecondary program plus three (3) years' full-time work experience related to the area of certification; OR

(b) Successful completion of two (2) years (sixty [60] semester hours or equivalent) in an approved post-secondary program plus four (4) years of full-time work experience related to the area of certification; OR

(c) Successful completion of one (1) year (thirty [30] semester hours or equivalent) in an approved post-secondary program plus five (5) years of full-time work experience related to the area of certification; OR

(d) Six (6) years of successful full-time work experience in the field employed to teach plus a high school diploma or equivalent.

(d) Level II - Career And Technology Education

(i) An applicant shall have earned a bachelor's degree and eighteen (18) semester hours post-graduate credits in an appropriate field, have at least six months of full-time work experience and/or internship related to the area of certification, and shall meet requirements in an initial area of certification. The certificate is valid for a five-year period after obtaining a professional certificate; OR

(ii) A Bachelor's Degree in an appropriate field plus one (1) year's full-time work experience related to the area of certification; OR

(iii) Successful completion of three (3) years of college (ninety [90] semester hours or equivalent) in an approved postsecondary program plus two (2) years full-time work experience related to the area of certification; OR

(iv) Successful completion of two (2) years (sixty [60] semester hours or equivalent) in an approved post-secondary program plus three (3) years' full-time work experience related to the area of certification; OR

(v) Successful completion of one (1) year (thirty [30] semester hours or equivalent) in an approved post-secondary program plus four (4) years of full-time work experience related to the area of certification; OR

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(vi) Five (5) years of successful full-time work experience in the field employed to teach plus a high school diploma or equivalent.

(e) Level III - Career And Technology Education

(i) An applicant shall have earned a bachelor's degree in an appropriate field in accordance with State Board of Education regulations and have at least six months of full-time work experience and/or internship related to the area of certification, and shall meet requirements in an initial area of certification; OR

(ii) Successful completion of three (3) years of college (ninety [90] semester hours or equivalent) in an approved postsecondary program plus one (1) year of full-time work experience related to the area of certification; OR

(iii) Successful completion of two (2) years (sixty [60] semester hours or equivalent) in an approved post-secondary program plus two (2) years of full-time work experience related to the area of certification; OR

(iv) Successful completion of one (1) year (thirty [30] semester hours or equivalent) in an approved post-secondary program plus three (3) years of full-time work experience related to the area of certification; OR

(v) Four (4) years of successful full-time work experience in the field employed to teach plus a high school diploma or equivalent.

### F. INITIAL WORK-BASED CERTIFICATE

(1) Induction Certificate

(a) A two-year nonrenewable induction certificate will be issued in the same five classifications listed in Section E.(2) if the following conditions are met:

(i) Verification of full-time work experience as required for certification;

(ii) Two references from person having firsthand knowledge of the applicant's technical experience;  
and

(iii) An official verification of all formal education.

(b) Term of issuance-one year with the provision to renew for a second year.

(c) Employment as a full- or part-time teacher in a South Carolina public school.

(2) Three-Year Pre-Professional Certificates

(a) A three-year nonrenewable pre-professional certificate may be issued after the expiration of the two-year induction certificate if the following requirements are met:

(i) Attain minimum qualifying score on the competency exam in the field for which induction certification is held,

(ii) Demonstrate competency in teaching methods as specified in the Regulation 205.1, Assisting, Developing, and Evaluating Professional Teaching, and

(iii) Take the basic skills examination as approved by the State Board of Education.

(3) Professional Certificate

(a) Upon the expiration of the three-year pre-professional certificate, a professional Career and Technology Education certificate valid for five years will be issued if the following requirements are met:

(i) Demonstrate competency in teaching methods as specified in the guidelines, and

(ii) Attain at least the minimum qualifying score on the approved basic skills examination.

(b) Applicants who do not complete the requirements for a professional certificate during the five years of induction and pre-professional certification must meet all certification requirements for a professional certificate in effect at the time they qualify.

G. ADVANCEMENT OF CERTIFICATES

(1) Certificates may be advanced based on guidelines approved by the State Board of Education.

(2) Certificates may be advanced by:

(a) Providing the required documentation of indicating that State Board of Education requirements for certificate advancement have been met;

(b) Making a written request to the Career and Technology Education Certification Section, Office of Teacher Certification, Division of Teacher Quality, to have the certificate advanced; and

(b) Paying the required fee for advancement of the certificate.

H. GENERAL INFORMATION

(1) Correspondence Schools

If courses are in the area in which the applicant teaches or are in general education, upon presentation of substantiating evidence correspondence courses may be accepted as renewal credit.

(2) Supervised Skill Update

Three hundred twenty (320) clock hours of work experience in the area being taught can be counted to substitute for three (3) semester hours of approved renewal credit. Self-employment experience is not acceptable. The proposed work experience must show that appropriate new skills will be developed. This allowance is to be made only one (1) time during any five-year renewal period. Prior application and approval is required for this credit. Applications may be secured from the Office of Teacher Certification, Division of Teacher Quality, State Department of Education, Columbia, South Carolina 29201.

(3) Approved Subject Area Work Experience Completed Five (5) Years Prior To Application

At least twelve (12) months of full-time work experience in the certificate area must have been completed within five (5) years of making application for certification. Applicants with valid out-of-state certificates with three (3) years teaching experience in the five (5) years prior to the application shall meet this requirement.

(4) Part-Time Work Experience Related To The Area Of Certification



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Part-time work experience may be used to meet up to fifty (50) percent of the work experience requirements for any level of certificate.

### (5) Semester Hours

All credits are computed in semester hours. (Three quarter hours are equivalent to two (2) semester hours.)

### (6) Out-Of-State Candidates

Out-of-state candidates holding valid, standard certificates from other states must meet the State Board of Education requirement for full or initial certification. These certificates may be renewed as any other.

### (7) Continuing Education Units

Continuing education courses may be accepted when earned in the content area of the specialized body of knowledge and approved by the Office of Teacher Certification, Division of Teacher Quality, South Carolina Department of Education, Columbia, South Carolina 29201.

### (8) Student Teaching

Career and Technology Education certified personnel are not required to do student teaching.

### (9) Acquiring Additional Areas Of Certification

A person who holds a valid South Carolina Career and Technology Education educator's certificate may, upon written request and payment of the required fee, add additional endorsements in accordance with the following criteria:

(a) Verification of full-time work experience as required for certification;

(b) Two technical references from persons having firsthand knowledge of the applicant's work experience, and

(c) Attainment of at least the minimum qualifying score on the required competency examination.

### (10) Certification For Individuals With Unique Occupational Training And Experience For Which There Is No Competency Examination

The changing nature of business and industry and their employment needs require that school districts be able to develop and implement new training programs to meet those needs in areas where no competency examination is available.

(a) The applicant must meet all other requirements for Career and Technology Education certification (except the competency examination); Application for a certificate will be allowed in the cases of new and innovative programs providing the following additional criteria are met. The applicant must have:

(i) A bachelor's degree from a regionally accredited college or university in the area of assignment and at least one year of related work experience in the area of assignment. The certificate level will be based upon the highest degree held and years of documented related work experience; and

(ii) Documentation of outstanding achievements related to the area of assignment, which could be used to verify competence in the field.

(iii) The district must submit documentation of the need (local needs assessment) for the new program for which licensure is sought. In 1994 the State Board of Education called for the following criteria for needs assessments:

Written documentation of the employment needs of new or expanding business/industries employing graduates of the program(s), ... must be submitted and endorsed by the CEO, President, or Human Resources Manager of one of the businesses in question and must include, as a minimum, (a) current and three-year projected employment needs, (b) indication of business/industry involvement with the local educational agency ..., (c) letters from the local Employment Security Commission, local development board, or local chamber of commerce specifying the needs for graduates of the program(s) for which licensure is requested.

#### I. EMPLOYMENT OF INDIVIDUALS WITH INDUSTRY CERTIFIED CAREER AND TECHNOLOGY EDUCATION TRAINING AND EXPERIENCE

(1) School districts shall be allowed to hire individuals with recognized eminence in career and technology areas to teach in high schools and career centers. This employment provides districts the opportunity to take advantage of outstanding expertise available where (a) programs and certification have not been approved by the State Board of Education and (b) programs have been approved by the State Board of Education but no certified teacher is available.

(a) School districts will be allowed to petition the State Board of Education through the Division of Teacher Quality at the State Department of Education for a temporary certificate that will allow the employment of an individual in an instructional position provided the individual meets the criteria listed below. The temporary two-year certificates are nontransferable to another district and can only be requested by the school district.

(b) An individual seeking employment under this provision will be issued a certificate that will be valid for one year unless revoked at the request of the district. The temporary certificate may be renewed one additional year. After two years the individual will be required to meet certification requirements listed in this regulation.

(c) The individual must have at least four years of experience in the area of assignment. The certificate will be issued at the corresponding level of educational attainment and/or verified work experience listed in this regulation.

(d) Documentation of outstanding achievements related to the area of assignment can be used to verify competency in the field.

(e) The individual must have received an "all clear" report from the FBI fingerprint process before the two-year temporary certificate can be issued.

(f) School districts shall closely monitor teaching content and techniques utilized by such individuals to ensure that appropriate instructional methods are used in accordance with State Board of Education guidelines. The Office of Career and Technology Education will monitor course content.

#### J. GUIDELINES

The State Department of Education has authority to develop guidelines in accordance with provisions of this regulation.

**Fiscal Impact Statement:** N/A