**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑27‑655 SO AS TO PROVIDE THAT WHEN IMPLEMENTING THE WORKFORCE INVESTMENT ACT, SC WORKS ANNUALLY SHALL REVIEW THE PERFORMANCE OF EACH PAID PROVIDER OF TRAINING TO CLIENTS OF SC WORKS BASED ON CERTAIN CRITERIA ESTABLISHED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, AND TO PROVIDE THAT SC WORKS MAY NOT PAY A PROVIDER WHOSE PERFORMANCE IS CONSIDERED INEFFECTIVE TO TRAIN A CLIENT OF SC WORKS FOR SIX MONTHS FOLLOWING THE ISSUING OF THE GRADE, AND ONLY THEN UPON A SATISFACTORY DEMONSTRATION BY THE PROVIDER THAT IT HAS REMEDIED THE DEFICIENCIES THAT RESULTED IN ITS RECEIPT OF AN INEFFECTIVE RATING.

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

SECTION 1. Article 5, Chapter 27, Title 41 of the 1976 Code is amended by adding:

“Section 41‑27‑655. In implementing the Workforce Investment Act, SC Works shall conduct an annual performance review of each provider that SC Works pays to train a customer of SC Works. This review must be based on criteria established by the Department of Employment and Workforce to assess the effectiveness of the training in helping the client achieve the goals intended by the training, and should include input from the client and any entity that employed the client to use the skills that the training was intended to develop. This input must be conducted by a questionnaire developed by the department and may be supplemented by interviews of the client, provider, and employer. The criteria developed by the department shall include a mechanism for rating the performance of a provider as ‘highly effective’, ‘effective’, or ‘ineffective’. Each provider must be awarded a rating and be given a summary of how its compliance with the rating criteria resulted in its rating, especially noting any deficiencies that resulted in a grade of effective or ineffective. SC Works may not pay a provider whose performance is considered ineffective to train a client of SC Works for six months following the issuing of the grade, and only then upon a satisfactory demonstration by the provider that it has remedied the deficiencies that resulted in its receipt of a ineffective rating.”

SECTION 2. The provisions of the act take effect ninety days following approval by the Governor.

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