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AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1A(COUNCIL\SA\4931C001.DKA.SA18)

May 10, 2018

**H. 4931**

Introduced by Reps. Elliott, Alexander, Simrill, Stringer, West, Allison, Henderson, G.R. Smith, Burns, Trantham, Hamilton, Bannister, Putnam, Robinson‑Simpson, Chumley, Taylor, Douglas, Knight, Dillard and Blackwell

S. Printed 5/9/18--S.

Read the first time March 13, 2018.

**A** **BILL**

TO AMEND SECTION 59‑103‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE AN APPLIED BACCALAUREATE IN MANUFACTURING DEGREE IF STATE FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

Amend Title To Conform

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

SECTION 1. Section 59‑103‑15 of the 1976 Code, as last amended by Act 14 of 2017, is further amended to read:

“Section 59‑103‑15. (A)(1) The General Assembly has determined that the mission for higher education in South Carolina is to be a global leader in providing a coordinated, comprehensive system of excellence in education by providing instruction, research, and life‑long learning opportunities which are focused on economic development and benefit the State of South Carolina.

(2) The goals to be achieved through this mission are:

(a) high academic quality;

(b) affordable and accessible education;

(c) instructional excellence;

(d) coordination and cooperation with public education;

(e) cooperation among the General Assembly, Commission on Higher Education, Council of Presidents of State Institutions, institutions of higher learning, and the business community;

(f) economic growth;

(g) clearly defined missions.

(B) The General Assembly has determined that the primary mission or focus for each type of institution of higher learning or other post‑secondary school in this State is as follows:

(1) Research institutions

(a) college‑level baccalaureate education, master’s, professional, and doctor of philosophy degrees which lead to continued education or employment;

(b) research through the use of government, corporate, nonprofit‑organization grants, or state resources, or both;

(c) public service to the State and the local community;

(2) Four‑year colleges and universities

(a) college‑level baccalaureate education and selected master’s degrees which lead to employment or continued education, or both, except for doctoral degrees currently being offered;

(b) bachelor of science degree in Mechanical Engineering approved by the Commission on Higher Education at South Carolina State University;

(c) bachelor of science degree in Electrical Engineering approved by the Commission on Higher Education at South Carolina State University;

(d) doctoral degree in Marine Science approved by the Commission on Higher Education;

(e) subject to subsection (C), doctoral degree in Nursing Practice approved by the Commission on Higher Education at Francis Marion University;

(f) subject to subsection (C), doctoral degree in Nursing Practice approved by the Commission on Higher Education at the University of South Carolina Aiken;

(g) subject to subsection (C), doctor of philosophy degree in Education Administration approved by the Commission on Higher Education at Coastal Carolina University;

(h) subject to subsection (C), doctor of philosophy degree in Computer and Information Science approved by the Commission on Higher Education at the College of Charleston;

(i) limited and specialized research;

(j) public service to the State and the local community;

(3) Two‑year institutions ‑ branches of the University of South Carolina

(a) college‑level pre‑baccalaureate education necessary to confer associates degrees which lead to continued education at a four‑year or research institution;

(b) public service to the State and the local community;

(4) State technical and comprehensive education system

(a) all post‑secondary vocational, technical, and occupational diploma and associate degree programs leading directly to employment or maintenance of employment and associate degree programs which enable students to gain access to other post‑secondary education;

(b) up‑to‑date and appropriate occupational and technical training for adults;

(c) special school programs that provide training for prospective employees for prospective and existing industry in order to enhance the economic development of South Carolina;

(d) public service to the State and the local community;

(e) continue to remain technical, vocational, or occupational colleges with a mission as stated in item (4) and primarily focused on technical education and the economic development of the State;

(f) subject to subsection (C), an Applied Baccalaureate in Advanced Manufacturing Technology degree approved first by the Board for Technical and Comprehensive Education and then the Commission on Higher Education.

(C) Notwithstanding subsection (B), the ~~doctoral~~ degrees set forth in subsection (B)(2)~~(c), (d), and~~ (e), (f), (g), and (h), and subsection (B)(4)(f) are only allowed so long as new state general funds are not appropriated for the operations of the degree program.”

SECTION 2. Section 13‑1‑2030 of the 1976 Code is amended to read:

“Section 13‑1‑2030. (A) There is established the ‘Coordinating Council for Workforce Development’ which is created to engage in discussions, collaboration, and information sharing concerning the State’s ability to prepare and train workers to meet current and future workforce needs. The coordinating council ~~shall be~~ is comprised of the following members:

(1) the Secretary of the Department of Commerce or his designee;

(2) the State Superintendent of Education or his designee;

(3) the Executive Director of the State Board for Technical and Comprehensive Education or his designee;

(4) the Executive Director of the Department of Employment and Workforce or his designee;

(5) the Executive Director of the Commission on Higher Education or his designee;

(6) the president or provost of a research university who ~~shall be~~ is selected by the presidents of the research universities;

(7) the president or provost of a four‑year college or university who ~~shall be~~ is selected by the presidents of the four‑year universities;

(8) the president of a technical college who ~~shall be~~ is appointed by the Chairman of the State Board for Technical and Comprehensive Education;

(9) ~~a person appointed by the Superintendent of Education who has particularized~~ the following members appointed by the State Superintendent of Education, who have expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act:

(a) a school district superintendent;

(b) a school counselor;

(c) a career and technology education director; and

(10) a representative from the business community appointed by the President of the South Carolina Chamber of Commerce.

(B)(1) The coordinating council shall:

(a) develop and implement procedures for sharing information and coordinating efforts among stakeholders to prepare the State’s current and emerging workforce to meet the needs of the State’s economy~~. The primary workforce focus of the council shall be on persons over age twenty‑one~~;

(b) make recommendations to the General Assembly concerning matters related to workforce development that exceed the council members’ agencies’ scope of authority to implement and legislation is required;

(c) recommend, to the General Assembly, programs intended to increase student access to and incentivize workforce training within state training programs or through programs offered by businesses through scholarships, grants, loans, tax credits, or other programs documented to be effective in addressing current and future workforce needs;

(d) develop a method for identifying and addressing long‑term workforce needs;

(e) conduct an ongoing inventory of existing workforce programs to identify duplications among and within the programs and identify ineffective programs. The council may make recommendations concerning the appropriate actions necessary to eliminate duplication, improvements to ineffective programs so that the programs can achieve the desired result, or the elimination of programs that no longer meet workforce needs;

(f) advise appropriate agencies and governing boards to ensure the components of Chapter 59, Title 59, are implemented with fidelity to provide a better prepared workforce, student success in postsecondary education, and enhanced coordination between K‑12, higher education, and employers. The council shall review accountability and performance measures for implementation of this article and make recommendations for the promulgation of regulations to carry out its provisions including, but not limited to, enforcement procedures, which may include monitoring and auditing functions, and addressing consequences for noncompliance; and

(g) submit an annual progress report to the Governor and the General Assembly, by ~~July~~ September first of each fiscal year, concerning the actions taken by the council during the previous fiscal year, and any recommendations for legislation or agency action. The council may submit additional reports on an ongoing basis as deemed necessary by the council chairman.

(2) The coordinating council may create subcommittees or advisory groups comprised of community or state or local government stakeholders to assist the council in carrying out the council’s duties as contained in item (1).

(C) The Secretary of the Department of Commerce or his designee to the coordinating council ~~shall be~~ is the coordinating council’s chairman.

(D) The Department of Education, the Commission on Higher Education, the Department of Commerce, and the State Board for Technical and Comprehensive Education shall provide staff for the coordinating council.”

SECTION 3. Chapter 53, Title 59 of the 1976 Code is amended by adding:

“Article 29

Pathways Initiative

Section 59‑53‑2620. (A) The member agencies of the Coordinating Council for Workforce Development, as designated in this article, shall define, develop, and implement a statewide Pathways Initiative in alignment with Chapter 59, Title 59, the South Carolina Education and Economic Development Act, to improve employment outcomes and address critical workforce needs. The Pathways Initiative consists of a Career Pathways program to facilitate a student’s transition from education to employment and a Pathways to New Opportunities Initiative to provide career services, including education, training, and job search assistance to adults.

(B) The Coordinating Council for Workforce Development shall include an update on the Pathways Initiative in the progress report submitted annually by September fifteenth to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

Section 59‑53‑2630. The State Board for Technical and Comprehensive Education (SBTCE), in consultation with the Department of Education, shall develop, coordinate, and implement a statewide Career Pathways program to facilitate a seamless transition from secondary education and postsecondary technical education to employment in industry sectors with critical workforce needs.

Section 59‑53‑2640. (A) There is created a ‘Career Pathways Grant Fund’ administered by the SBTCE. The purpose of the fund is to award grants to eligible technical colleges in order to provide and support the infrastructure necessary to offer Pathways programs. Grants awarded to technical colleges must be used only for Pathways‑specific expenses, to include program administration, career and technical equipment, facilities, instructional materials, transportation, and tuition grants. The SBTCE or board‑appointed committee, in consultation with the Department of Education, shall develop and maintain eligibility criteria for these competitive grants.

(B) Funds available through these competitive grants are awarded to technical colleges that demonstrate the strongest ability to meet grant criteria. Funds may not be awarded to all colleges in a given year.

(C) Funds must be used to establish new pathways or enhance existing pathways that confer the necessary skills and training to prepare students for careers in high‑demand fields. Funds only support career and technical education programs and courses in industry sectors with critical workforce needs.

(D) To qualify for Career Pathways grant funding as established pursuant to this section, the technical college and school or school district must enter into Memorandums of Understanding that meet the grant requirements.

(E) The SBTCE or board‑appointed committee, in consultation with the State Department of Education, is responsible for determining if a pathway meets the established criteria and may promulgate regulations further enumerating the specifics of these criteria and the evaluation process.

(F) The SBTCE shall prepare an annual report on the Career Pathways program and grant awards by September first of each year. The report must be submitted to the Coordinating Council for Workforce Development for inclusion in its annual report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. The report must include, at minimum, an update of progress toward full statewide implementation of the Career Pathways program, and upon implementation, an analysis of program accountability measures and key performance indicators.

(G) As used in this section:

(1) ‘Industry sectors with critical workforce needs’ means the industry sectors as outlined by the member agencies of the Coordinating Council for Workforce Development and their business and industry partners.

(2) ‘Pathways’ means a partnership between a secondary education provider, a technical college, and a business or industry that incorporates the following elements:

(a) secondary and postsecondary education elements;

(b) coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;

(c) opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits at no cost to the student; and

(d) student attainment of an industry‑recognized credential, or a postsecondary certificate, diploma, or associate degree, with multiple entrance and exit points.

Section 59‑53‑2650. (A) The Department of Employment and Workforce, in coordination with the SBTCE and the Department of Commerce, shall develop, coordinate, and implement a Pathways to New Opportunities Initiative, which must leverage existing services and new resources to provide subsidized career training and certification and job placement assistance to adults throughout the State pursuing careers in high‑demand occupations in industry sectors with critical workforce needs.

(B) The SBTCE shall administer the Workforce Opportunity Scholarship and Grant Fund, established pursuant to Section 59‑53‑110, to be used for tuition and education‑related expenses for eligible career training and certification programs for qualifying individuals. The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, shall develop and maintain eligibility criteria for scholarships and grants. Funds may be used to provide opportunities through existing programs.

(C) The Department of Employment and Workforce shall coordinate with the SBTCE to identify and refer qualifying individuals to the training programs and scholarship opportunities established in this section. The Department of Employment and Workforce, in consultation with the Department of Commerce, also shall develop and implement a plan to facilitate the job placement of qualifying individuals who have completed the necessary training and certification, to ensure that they are matched with available employment opportunities in industry sectors with critical workforce needs throughout the State.”

SECTION 4. Article 1, Chapter 53, Title 59 of the 1976 Code is amended by adding:

“Section 59‑53‑110. (A) There is created a ‘Workforce Scholarship and Grant Fund’ administered by the State Board for Technical and Comprehensive Education (SBTCE). The purpose of the fund is to provide financial assistance to qualifying individuals pursuing career education or professional certification through eligible programs.

(B) As used in this section:

(1) ‘Qualifying individual’ means a person who is a South Carolina resident and who is eligible to be enrolled in a South Carolina technical college or professional certification program.

(2) ‘Cost of attendance’ means the total amount of money charged for the cost of a qualifying individual to attend an eligible program including, but not limited to, tuition, fees for attending the school, textbooks, and school related transportation, less all federal grants, need-based grants, and lottery tuition assistance.

(3) ‘Eligible program’ means a program that:

(a) does not discriminate on the basis of race, color, or national origin;

(b) is located in this State;

(c) has school facilities that are subject to applicable federal, state, and local laws; and

(d) meets all eligibility guidelines promulgated by the SBTCE;

(C) Grants may be awarded from the fund in an amount not exceeding the total cost of attendance for a qualifying individual to attend the eligible program of his choice. The cumulative grant award for each qualifying individual may not exceed ten thousand dollars.

(D)(1) The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, is responsible for determining if a program meets the criteria established by subsection (B)(3), and shall publish an approved list of qualifying programs. For the purpose of this subsection, the board may promulgate regulations further enumerating the specifics of these criteria.

(2) By the first day of August for the current fiscal year, the SBTCE, on its website available to the general public, shall provide a list of approved programs that accept grants for eligible students and that in the board’s determination are in compliance with the requirements of subsection (B)(3).”

SECTION 5. This act takes effect upon approval by the Governor.

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