

**South Carolina General Assembly**  
116th Session, 2005-2006

**A88, R102, H3155**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Townsend, Wilkins, Walker, Littlejohn, Battle, Clark,  
Cobb-Hunter, Simrill, Sandifer, Haley, Brady, Hagood, Talley,  
G.R. Smith and Neilson

Document Path: I:\council\billsgjk\20048sd05.doc

Companion/Similar bill(s): 4, 122

Introduced in the House on January 11, 2005

Introduced in the Senate on March 8, 2005

Last Amended on May 19, 2005

Passed by the General Assembly on May 19, 2005

Governor's Action: May 27, 2005, Signed

Summary: Education and Economic Development Act

(A88, R102, H3155)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 59 TO TITLE 59 SO AS TO ENACT THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT WHICH PROVIDES FOR THE DEVELOPMENT OF A CURRICULUM ORGANIZED AROUND A CAREER CLUSTER SYSTEM THAT MUST PROVIDE STUDENTS WITH BOTH STRONG ACADEMICS AND REAL-WORLD PROBLEM SOLVING SKILLS; TO AMEND SECTION 59-17-135, RELATING TO CHARACTER EDUCATION, SO AS TO FURTHER PROVIDE FOR THE TRAITS WHICH MUST BE INCORPORATED INTO SCHOOL BOARD POLICIES ADDRESSING CHARACTER EDUCATION; TO AMEND SECTION 59-18-900, RELATING TO SCHOOL REPORT CARDS, SO AS TO EXPAND THE CONTENT OF THE REPORT CARD TO INCLUDE, DROPOUT REDUCTION DATA; AND TO REPEAL ACT 450 OF 1994 AND SECTION 59-52-95 RELATING TO THE SOUTH CAROLINA SCHOOL-TO-WORK TRANSITION ACT OF 1994.**

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

**South Carolina Education and Economic Development Act**

SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 59

South Carolina Education and Economic Development Act

Section 59-59-10. This chapter may be cited as the ‘South Carolina Education and Economic Development Act’.

Section 59-59-20. (A) The Department of Education shall develop a curriculum, aligned with state content standards, organized around a career cluster system that must provide students with both strong academics and real-world problem solving skills. Students must be provided individualized educational, academic, and career-oriented choices and greater exposure to career information and opportunities. This system must promote the involvement and cooperative effort of parents, teachers, and school counselors in assisting students in making these choices, in setting career goals, and in developing individual graduation plans to achieve these goals.

(B) School districts must lay the foundation for the clusters of study system in elementary school by providing career awareness activities. In the middle grades programs must allow students to identify career interests and abilities and align them with clusters of study for the development of individual graduation plans. Finally, high school students must be provided guidance and curricula that will enable them to complete successfully their individual graduation plans, preparing them for a seamless transition to relevant employment, further training, or postsecondary study.

Section 59-59-30. This chapter must be implemented fully by July 1, 2011, at which time the council created pursuant to Section 59-59-170 shall cease to exist. The Department of Education shall provide administrative support and staffing to the council to carry out its responsibilities under this chapter.

Section 59-59-40. During the 2005-06 school year, the Department of Education’s guidance and counseling model must provide standards and strategies for school districts to use and follow in developing and implementing a comprehensive guidance and counseling program in

their districts. This model must assist school districts and communities with the planning, development, implementation, and assessment of a school guidance and counseling program to support the personal, social, educational, and career development of pre-kindergarten through twelfth grade students.

Section 59-59-50. (A) Before July 1, 2006, the Department of Education shall develop state models and prototypes for individual graduation plans and the curriculum framework for career clusters of study. These clusters of study may be based upon the national career clusters and may include, but are not limited to:

- ( 1) agriculture, food, and natural resources;
- ( 2) architecture and construction;
- ( 3) arts, audio-video technology, and communications;
- ( 4) business, management, and administration;
- ( 5) education and training;
- ( 6) finance;
- ( 7) health science;
- ( 8) hospitality and tourism;
- ( 9) human services;
- (10) information technology;
- (11) law, public safety, and security;
- (12) manufacturing;
- (13) government and public administration;
- (14) marketing, sales, and service;
- (15) science, technology, engineering, and mathematics; and
- (16) transportation, distribution, and logistics.

(B) The Department of Education is to include in the state models and prototypes for individual graduation plans and curriculum framework the flexibility for a student to develop an individualized plan for graduation utilizing courses offered within the clusters at the school of attendance. Any plan of this type is to be approved by the student, parent or guardian, and the school guidance staff.

Section 59-59-55. The State Board of Education shall develop a state model for addressing at-risk students. This model shall include various programs and curriculum proven to be effective for at-risk students.

Section 59-59-60. Before July 1, 2007, school districts shall:

- (1) organize high school curricula around a minimum of three clusters of study and cluster majors. The curricula must be designed to provide a well-rounded education for students by fostering artistic

creativity, critical thinking, and self-discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life;

(2) promote increased awareness and career counseling by providing access to the South Carolina Occupational Information System for all schools. However, if a school chooses another occupational information system, that system must be approved by the State Department of Education.

Section 59-59-70. During the 2006-07 school year, the department shall begin implementing a career development plan for educational professionals in career guidance that provides awareness, training, release time, and preparatory instruction. The plan must include strategies for certified school counselors effectively to involve parents, guardians, or individuals appointed by the parent or guardian to serve as their designee in the career guidance process and in the development of the individual graduation plans. The plan also must include innovative approaches to recruit, train, and certify professionals needed to carry out the career development plan.

Section 59-59-80. During the 2006-07 school year, the department's school guidance and counseling program model along with career awareness and exploration activities must be integrated into the curricula for students in the first through fifth grades.

Section 59-59-90. Beginning with the 2006-07 school year, counseling and career awareness programs on clusters of study must be provided to students in the sixth, seventh, and eighth grades, and they must receive career interest inventories and information to assist them in the career decision-making process. Before the end of the second semester of the eighth grade, eighth grade students in consultation with their parents, guardians, or individuals appointed by the parents or guardians to serve as their designee shall select a preferred cluster of study and develop an individual graduation plan, as provided for in Section 59-59-140.

Section 59-59-100. (A) By the 2006-07 school year, middle schools and by 2007-08 high schools shall provide students with the services of a career specialist who has obtained a bachelor's degree and who has successfully completed the national Career Development Facilitator (CDF) certification training or certified guidance counselor having completed the Career Development Facilitator certification training. This career specialist shall work under the supervision of a certified

guidance counselor. By the 2007-08 school year, each middle and high school shall have a student-to-guidance personnel ratio of three hundred to one. Guidance personnel include certified school guidance counselors and career specialists.

(B) Career specialists currently employed by the sixteen tech prep consortia and their performance responsibilities related to the delivery of tech prep or school-to-work activities must be supervised by the State Department of Education's Office of Career and Technology Education in conjunction with the immediate site supervisor of the tech prep consortia.

Section 59-59-105. An individual employed by school districts to provide career services pursuant to Section 59-59-100 shall work to ensure the coordination, accountability, and delivery of career awareness, development, and exploration to students in kindergarten through twelfth grade. To ensure the implementation and delivery of this chapter, this individual shall:

(1) coordinate and present professional development workshops in career development and guidance for teachers, school counselors, and work-based constituents;

(2) assist schools in promoting the goals of quality career development of students in kindergarten through twelfth grade;

(3) assist school counselors and students in identifying and accessing career information and resource material;

(4) provide educators, parents, and students with information on career and technology education programs offered in the district;

(5) support students in the exploration of career clusters and the selection of an area of academic focus within a cluster of study;

(6) learn and become familiar with ways to improve and promote career development opportunities within the district;

(7) attend continuing education programs on the certified career development facilitator curriculum sponsored by the State;

(8) assist with the selection, administration, and evaluation of career interest inventories;

(9) assist with the implementation of the district's student career plan or individual graduation plan;

(10) assist schools in planning and developing parent information on career development;

(11) coordinate with school counselors and administration career events, career classes, and career programming;

(12) coordinate community resources and citizens representing diverse occupations in career development activities for parents and students; and

(13) assist with the usage of computer assisted career guidance systems.

Section 59-59-110. During the 2007-08 school year, each public high school shall implement a career guidance program model or prototype as developed or approved by the State Department of Education. At least annually after that, certified school guidance counselors and career specialists, under their supervision, shall counsel students during the ninth and tenth grades to further define their career cluster goals and individual graduation plans, and before the end of the second semester of the tenth grade, tenth grade students shall have declared an area of academic focus within a cluster of study. Throughout high school, students must be provided guidance activities and career awareness programs that combine counseling on career options and experiential learning with academic planning to assist students in fulfilling their individual graduation plans. In order to maximize the number of clusters offered, a school district is to ensure that each high school within the district offers a variety of clusters. A student may transfer to a high school offering that student's career cluster if not offered by the high school in his attendance zone.

Section 59-59-120. School guidance counselors and career specialists shall limit their activities to guidance and counseling and may not perform administrative tasks.

Section 59-59-130. By the 2009-10 school year, each high school shall implement the principles of the 'High Schools that Work' organizational model or have obtained approval from the Department of Education for another cluster or major organizational model.

Section 59-59-140. An individual graduation plan is a student specific educational plan detailing the courses necessary for the student to prepare for graduation and to successfully transition into the workforce or postsecondary education. An individual graduation plan must:

- (1) align career goals and a student's course of study;
- (2) be based on the student's selected cluster of study and an academic focus within that cluster;
- (3) include core academic subjects, which must include, but are not limited to, English, math, science, and social studies to ensure that requirements for graduation will be met;

(4) include experience-based, career-oriented learning experiences including, but not limited to, internships, apprenticeships, mentoring, co-op education, and service learning;

(5) be flexible to allow change in the course of study but be sufficiently structured to meet graduation requirements and admission to postsecondary education;

(6) incorporate provisions of a student's individual education plan, when appropriate; and

(7) be approved by a certified school guidance counselor and the student's parents, guardians, or individuals appointed by the parents or guardians to serve as their designee.

Section 59-59-150. By July 2007, the State Board of Education shall promulgate regulations outlining specific objective criteria for districts to use in the identification of students at risk for being poorly prepared for the next level of study or for dropping out of school. The criteria must include diagnostic assessments to identify strengths and weaknesses in the core academic areas. The process for identifying these students must be closely monitored by the State Department of Education in collaboration with school districts to ensure that students are being properly identified and provided timely, appropriate guidance and assistance and to ensure that no group is disproportionately represented. The regulations also must include evidence-based model programs for at-risk students designed to ensure that these students have an opportunity to graduate with a state high school diploma. By the 2007-08 school year, each high school of the State shall implement one or more of these programs to ensure that these students receive the opportunity to complete the necessary requirements to graduate with a state high school diploma and build skills to prepare them to enter the job market successfully. The regulation also must include an evaluation of model programs in place in each high school to ensure the programs are providing students an opportunity to graduate with a state high school diploma.

Section 59-59-160. Parental participation is an integral component of the clusters of study system. Beginning with students in the sixth grade and continuing through high school, schools must schedule annual parent counseling conferences to assist parents, guardians, or individuals appointed by the parents or guardians and their children in making career choices and creating individual graduation plans. These conferences must include, but are not limited to, assisting the student in identifying career interests and goals, selecting a cluster of study and an academic focus, and developing an individual graduation plan. In order

to protect the interests of every student, a mediation process that includes parent advocates must be developed, explained, and made available for conferences upon request of the parent or student.

Section 59-59-170. (A) There is created the Education and Economic Development Coordinating Council. The council is comprised of the following members representing the geographic regions of the State and must be representative of the ethnic, gender, rural, and urban diversity of the State:

- (1) State Superintendent of Education or his designee;
- (2) Executive Director of the South Carolina Employment Security Commission or his designee;
- (3) Executive Director of the State Board for Technical and Comprehensive Education or his designee;
- (4) Secretary of the Department of Commerce or his designee;
- (5) Executive Director of the South Carolina Chamber of Commerce or his designee;
- (6) Executive Director of the South Carolina Commission on Higher Education or his designee;
- (7) the following members who must be appointed by the State Superintendent of Education:
  - (a) a school district superintendent;
  - (b) a principal;
  - (c) a school guidance counselor;
  - (d) a teacher; and
  - (e) the director of a career and technology center;
- (8) the following members who must be appointed by the Chairman of the Commission on Higher Education:
  - (a) the president or provost of a research university;
  - (b) the president or provost of a four-year college or university; and
  - (c) the president of a technical college;
- (9) ten representatives of business appointed by the Governor, at least one of which must represent small business. Of the representatives appointed by the Governor, five must be recommended by state-wide organizations representing business and industry. The chair is to be selected by the Governor from one of his appointees;
- (10) Chairman of the Education Oversight Committee or his designee;
- (11) a member from the House of Representatives appointed by the Speaker of the House; and
- (12) a member from the Senate appointed by the President Pro Tempore.

Initial appointments must be made by October 1, 2005, at which time the Governor shall call the first meeting. Appointments made by the Superintendent of Education, and the Governor are to ensure that the demographics and diversity of this State are represented.

(B) The council shall:

(1) advise the Department of Education on the implementation of this chapter;

(2) review accountability and performance measures for implementation of this chapter;

(3) designate and oversee the coordination and establishment of the regional centers established pursuant to Section 59-59-180.

(4) report annually by December first to the Governor, the General Assembly, the State Board of Education, and other appropriate governing boards on the progress, results, and compliance with the provisions of this chapter and its ability to provide a better prepared workforce and student success in postsecondary education;

(5) make recommendations to the Department of Education for the development and implementation of a communication and marketing plan to promote statewide awareness of the provisions of this chapter; and

(6) provide input to the State Board of Education and other appropriate governing boards for the promulgation of regulations to carry out the provisions of this chapter including, but not limited to, enforcement procedures, which may include monitoring and auditing functions, and addressing consequences for noncompliance.

Section 59-59-180.(A) Before July 1, 2006, the Education and Economic Development Council shall designate regional education centers to coordinate and facilitate the delivery of information, resources, and services to students, educators, employers, and the community.

(B) The primary responsibilities of these centers are to:

(1) provide services to students and adults for career planning, employment seeking, training, and other support functions;

(2) provide information, resources, and professional development programs to educators;

(3) provide resources to school districts for compliance and accountability pursuant to the provisions of this chapter;

(4) provide information and resources to employers including, but not limited to, education partnerships, career-oriented learning, and training services;

(5) facilitate local connections among businesses and those involved in education; and

(6) work with school districts and institutions of higher education to create and coordinate workforce education programs.

(C)(1) By the 2006-07 school year, each regional education center shall have career development facilitators who shall coordinate career-oriented learning, career development, and postsecondary transitions for the schools in their respective regions.

(2) A career development facilitator must be certified and recognized by the National Career Development Association.

(D) The Education and Economic Development Coordinating Council, in consultation with the Department of Education, shall provide oversight to the regional centers, and the centers shall provide data and reports that the council may request.

(E)(1) The regional centers are to assume the geographic configuration of the Local Workforce Investment Areas (LWIA) of the South Carolina Workforce Investment Act. Each regional center shall have an advisory board comprised of a school district superintendent, high school principal, local workforce investment board chairperson, technical college president, four-year college or university representative, career center director or school district career and technology education coordinator, parent-teacher organization representative, and business and civic leaders. Appointees must reside or do business in the geographic area of the center. Appropriate local legislative delegations shall make the appointments to the regional center boards.

(2) The regional centers shall include, but not be limited to, the one-stop shops, workforce investment boards, tech prep consortia, and regional instructional technology centers.

Section 59-59-190. (A) The South Carolina Employment Security Commission, in collaboration with the State Board for Technical and Comprehensive Education and the Commission on Higher Education, shall assist the Department of Education, in planning and promoting the career information and employment options and preparation programs provided for in this chapter and in the establishment of the regional education centers by:

(1) identifying potential employers to participate in the career-oriented learning programs;

(2) serving as a contact point for employees seeking career information and training;

(3) providing labor market information including, but not limited to, supply and demand;

(4) promoting increased career awareness and career counseling through the management and promotion of the South Carolina Occupational Information System;

(5) collaborating with local agencies and businesses to stimulate funds; and

(6) cooperating in the creation and coordination of workforce education programs.

(B) The South Carolina Employment Security Commission shall assist in providing a link between employers in South Carolina and youth seeking employment.

Section 59-59-200. Beginning with the 2006-07 academic year, colleges of education shall include in their training of teachers, guidance counselors, and administrators the following: career guidance, the use of the cluster of study curriculum framework and individual graduation plans, learning styles, the elements of the Career Guidance Model of the South Carolina Comprehensive Guidance and Counseling Program Model, contextual teaching, cooperative learning, and character education. The State Board of Education shall develop performance-based standards in these areas and include them as criteria for teacher program approval. By the 2009-10 school year, the teacher evaluation system established in Chapter 26, Title 59, and the principal's evaluation system established in Section 59-24-40 must include a review of performance in career exploration and guidance. The department also shall develop programs to train educators in contextual teaching.

Section 59-59-210. (A) By September 2005, the Commission on Higher Education shall convene the Advisory Committee on Academic Programs to address articulation agreements between school districts and public institutions of higher education in South Carolina to provide seamless pathways for adequately prepared students to move from high school directly into institutions of higher education. The committee shall review, revise, and recommend secondary to postsecondary articulation agreements and promote the development of measures to certify equivalency in content and rigor for all courses included in articulation agreements. The advisory committee shall include representatives from the research institutions, four-year comprehensive teaching institutions, two-year regional campuses, and technical colleges. The committee, for purposes pursuant to this chapter, shall include representation from the State Department of Education, and school district administrators, to include curriculum coordinators and guidance personnel.

(B) By July 2006, the Advisory Committee on Academic Programs shall make recommendations to the Commission on Higher Education regarding coursework that is acceptable statewide for dual enrollment to be accepted in transfer within a related course of study. Dual enrollment college courses offered to high school students by two-year and four-year colleges and universities must be equivalent in content and rigor to the equivalent college courses offered to college students and taught by appropriately credentialed faculty. Related policies and procedures established by the Commission on Higher Education for dual enrollment and guidelines for offering dual enrollment coursework and articulation to two-year and four-year colleges and universities for awarding of credit must be followed.

(C) The advisory committee, in collaboration with the Department of Education, shall coordinate work to study the content and rigor of high school courses in order to provide a seamless pathway to postsecondary education.

(D) The Commission on Higher Education shall report annually to the Education and Economic Development Coordinating Council regarding the committee's progress.

Section 59-59-220. With the implementation of the clusters of study system, appropriate resources and instructional materials, aligned with the state's content standards, must be developed or adopted by the State Department of Education and made available to districts.

Section 59-59-230. The State Board of Education, with input from the Education and Economic Development Council, shall promulgate regulations necessary to carry out the provisions of this chapter.

Section 59-59-240. The requirements of this chapter do not apply to private schools or to home schools.

Section 59-59-250. Each phase of implementation of this chapter is contingent upon the appropriation of adequate funding as documented by the fiscal impact statement provided by the Office of State Budget of the State Budget and Control Board. There is no mandatory financial obligation to school districts if state funding is not appropriated for each phase of implementation as provided for in the fiscal impact statement of the Office of the State Budget of the State Budget and Control Board."

### **Additional character traits**

SECTION 2. Section 59-17-135(B) of the 1976 Code is amended to read:

“(B) Each local school board of trustees of the State must develop a policy addressing character education. Any character education program implemented by a district as a result of an adopted policy must, to the extent possible, incorporate character traits including, but not limited to, the following: respect for authority and respect for others, honesty, self-control, cleanliness, courtesy, good manners, cooperation, citizenship, patriotism, courage, fairness, kindness, self-respect, compassion, diligence, good work ethics, sound educational habits, generosity, punctuality, cheerfulness, patience, sportsmanship, loyalty, and virtue. Local school boards must include all sectors of the community, as referenced in subsection (A)(4), in the development of a policy and in the development of any program implemented as a result of the policy. As part of any policy and program developed by the local school board, an evaluation component must be included.”

### **School report card contents**

SECTION 3. Section 59-18-900(D) of the 1976 Code is amended to read:

“(D) The report card must include a comprehensive set of performance indicators with information on comparisons, trends, needs, and performance over time which is helpful to parents and the public in evaluating the school. Special efforts are to be made to ensure that the information contained in the report card is provided in an easily understood manner and a reader-friendly format. This information should also provide a context for the performance of the school. Where appropriate, the data should yield disaggregated results to schools and districts in planning for improvement. The report card should include information in such areas as programs and curriculum, school leadership, community and parent support, faculty qualifications, evaluations of the school by parents, teachers, and students. In addition, the report card must contain other criteria including, but not limited to, information on promotion and retention ratios, disciplinary climate, dropout ratios, dropout reduction data, student and teacher ratios, and attendance data.”

### **Repeal**

SECTION 4. Act 450 of 1994 and Section 59-52-95 of the 1976 Code are repealed.

**Time effective**

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

Ratified the 24<sup>th</sup> day of May, 2005.

Approved the 27<sup>th</sup> day of May, 2005.

---