**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3852**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Elliott, Erickson, G.R. Smith, Bennett and Pope

Document Path: l:\council\bills\rt\17963wab21.docx

Introduced in the House on February 9, 2021

Currently residing in the House Committee on **Education and Public Works**

Summary: Education: Learn Everywhere Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/9/2021 House Introduced and read first time ([House Journal‑page 27](file:///h:\hj\20210209.docx))

2/9/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 27](file:///h:\hj\20210209.docx))

2/10/2021 House Member(s) request name added as sponsor: Erickson, G.R.Smith, Bennett

2/23/2021 House Member(s) request name added as sponsor: Pope

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**VERSIONS OF THIS BILL**

[2/9/2021](file:///p:\pprever\2021-22\3852_20210209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA LEARN EVERYWHERE ACT” BY ADDING SECTION 59‑39‑105 TO PROVIDE FOR THE CREATION AND USE OF EXTENDED LEARNING OPPORTUNITIES THAT MAY PROVIDE CREDITS FOR HIGH SCHOOL GRADUATION AND FOR PARTIAL FULFILMENT OF OCCUPATIONAL LICENSURE REQUIREMENTS; TO PROVIDE RELATED OBLIGATIONS OF THE STATE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

Whereas, students are involved in many programs outside of the traditional classroom, and these programs have educational value; and

Whereas, many entities including, but not limited to, nonprofits, afterschool programs, businesses, and trade associations may have an interest in offering programs outside of the traditional classroom that are attractive to students and contain educational value; and

Whereas, learning opportunities that are designed to address the interests and aptitudes of each student have the potential to allow every student to discover, develop, and apply their talents to realize their full potential, and extended learning opportunities may be used for exploration, quick jobs training for a specific skill set required and requested by local business and industry, and general exploration based on the interest of the student; and

Whereas, there exist policies that multiply educational opportunities outside of the traditional classroom in other states, in the form of apprenticeships, preapprenticeships, and internships, and there also currently exist policies for work‑based learning opportunities to include apprenticeships, preapprenticeships, and internships within this State, and this act would in no way negate the need for the implementation of the work‑based learning policies currently established by the State Department of Education, the policies indicated for career readiness designation, or the standard of skills training necessary for specific career and technical programs and industries; and

Whereas, providing credit for alternative educational opportunities will enrich the learning environment of students and develop well‑rounded individuals ready for a life of learning, productive work, and community involvement. Now, therefore:

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

SECTION 1. This act must be known and may be cited as the “South Carolina Learn Everywhere Act”.

SECTION 2. Article 1, Chapter 39, Title 59 of the 1976 Code is amended by adding:

“Section 59‑39‑105. (A) As used in this section:

(1) ‘Extended learning opportunity’ means a sequence of instruction over a period of time that meets reasonably equivalent requirements or competencies of a subject or subjects included in the Division of College and Career Readiness and which result in the granting of a credit leading to high school graduation.

(2) ‘Board’ means the State Board of Education.

(3) ‘Department’ means the State Department of Education.

(4) ‘Licensing’ means training, education, or fees required to work in a specific occupation.

(5) ‘Licensing authority’ means an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any occupation.

(6) ‘Sponsoring organization’ means any public or private, nonprofit or for‑profit business or industry, or other appropriate entity, that partners with one or more local school districts to provide extended learning opportunities through guidelines prescribed by the State Board of Education.

(B) The State Board of Education, in conjunction with the Department of Employment and Workforce, the State Board for Technical and Comprehensive Education, and the Commission on Higher Education, shall identify extended learning opportunities that may be eligible for exemptions from those federal and state labor laws and regulations for which exemptions are available for student apprenticeship programs. The State Board of Education, the Department of Employment and Workforce, the State Board for Technical and Comprehensive Education, and the Commission on Higher Education also shall establish procedures for obtaining exemptions for extended learning opportunities.

(C)(1) The State Board of Education shall issue rules directing local school boards to develop an extended learning opportunity to include alternative educational opportunities available to students in seventh grade through twelfth grade for elective course credit towards high school graduation.

(2) A local school board shall adopt an extended learning opportunity policy to include alternative educational opportunities for course credit that recognizes learning opportunities outside of the traditional classroom and grants elective credit for those alternative learning opportunities. An adopted policy must:

(a) provide an application process for entities to submit proposals for alternative educational opportunities that may qualify for elective course credit, provided the approval of an extended learning opportunity only may be used for high school elective credit towards graduation;

(b) define entities that may submit applications for alternative educational opportunities, which must include, but may not be limited to:

(i) nonprofit organizations;

(ii) businesses with established locations in the State;

(iii) trade associations;

(iv) teachers involved in programs outside of the traditional classroom; and

(v) school personnel involved in programs outside of the traditional classroom;

(c) provide for the criteria used to evaluate the alternative educational opportunity;

(d) describe any communication and collaboration needed with local school districts to implement alternative educational opportunities approved by the State Board of Education;

(e) place requirements on the entity such as background checks for key personnel and minimum accountability standards; and

(f) provide a process for granting student elective credit.

(3) A local school board may approve or deny an application for an extended learning opportunity. If an application is denied, the school board shall provide a detailed explanation of the reasons for its denial and recommendations to improve the application that are intended to help the applicant obtain a more favorable review by the local school board. To be approved by a local school board, an application must require approval of any extended learning opportunity by the Division of College and Career Readiness before the program may be implemented in the district.

(4) The State Department of Education may audit approved extended learning opportunities at its discretion. If the department finds that an approved program is not meeting a provision of this section or the policy provided in item (2), the local school board immediately shall disqualify the program and notify the Division of College and Career Readiness.

(D)(1)(a) The State Department of Education shall begin accepting applications from local school districts for the implementation of extended learning opportunities outside of the classroom starting no later than sixty days after the effective date of this section. The department shall require an application for each extended learning opportunity approved by a local school board to be implemented in the school district governed by the board.

(b) Upon receipt of an application, the department has forty‑five days to approve or deny the application. The department shall return a denied application to the submitting local school board and provide a detailed explanation of the reasons for denial of the application.

(2) The department shall provide an annual report detailing the progress that has been made in each local educational agency or school district in providing extended learning opportunities outside of the classroom. The report must be provided to the Chairperson of the House Education and Public Works Committee and the Chairperson of the Senate Education Committee before February first of each year. The department also shall provide the report to other members of the General Assembly upon request and shall post a report on the department’s website for the general public to view.

(E)(1) A licensing authority shall grant a license to a student applicant who participates in an extended learning opportunity and has:

(a) completed an extended learning opportunity in the licensed occupation;

(b) attained a satisfactory industry certification score on the state career readiness assessment or other such workplace‑skills assessment, if such assessment is a required component of the extended learning opportunity;

(c) passed an examination, if one is considered to be necessary by the licensing authority; and

(d) paid any fees considered necessary by the licensing authority.

(2) A licensing authority shall establish a passing score for their respective examinations, which may not exceed the passing score that is required under the standard licensing process. If the relevant licensing authority or provision of law does not require an examination for the standard licensing process for an occupation, no examination may be required for an applicant who completes an extended learning opportunity in that occupation.

(3) A licensing authority shall establish a licensing fee, which may not exceed the licensing fee that is required under the standard licensing process. If the relevant licensing authority or State does not require a fee for the standard licensing process for an occupation, no fee can be required for applicants who complete an apprenticeship in that occupation.

(4) Except as otherwise required by federal law, extended learning opportunities for an occupation may not be required to exceed the number of hours required by the relevant licensing authority or statute for that occupation.

(5) A licensing authority shall adopt necessary rules and promulgate necessary regulations for the implementation of this section.”

SECTION 3. This act takes effect July 1, 2021.

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