



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MEMORANDUM

TO: Special Education Directors

FROM: Peter Keup
Director, Office of Special Education Services

DATE: December 11, 2023

RE: Subminimum Wage

It has been brought to our attention that districts are still including subminimum wage employment as a goal on student's IEPs. South Carolina passed [legislation](#) in 2022 to end subminimum wage. No individual with a disability may be paid less than the federal minimum wage. That law will take effect on August 1, 2024. Therefore, sheltered workshops are no longer an option.

The Transition Alliance of South Carolina ([TASC](#)) provides assistance to districts working to improve post school outcomes for youth with disabilities. They are a valuable resource to help districts develop alternatives to sheltered workshops.

The following resource also provides recent information regarding this issue from the United States Department of Justice.

[Office of Public Affairs | Justice Department Issues Guidance on the Americans with Disabilities Act and Employment Services for People with Disabilities | United States Department of Justice](#)