



## SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

RUTLEDGE BUILDING  
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COLUMBIA, S. C. 29201

December 16, 1975

HOWARD R. BOOZER  
EXECUTIVE DIRECTOR

TELEPHONE  
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The Honorable Robert C. Lake, Jr.  
P.O. Box 245  
Whitmire, South Carolina 29178

Dear Senator Lake:

When Dr. Cathcart Smith and I appeared before your Committee on October 23 on behalf of the Commission on Higher Education, accompanied by several other Commission and staff members, you invited us to submit recommendations regarding legislation affecting the Commission. It is our understanding that your report will be drafted in the near future and any suggestions from this Commission should be submitted as soon as possible.

The Legislative Relations Committee of the Commission met recently to discuss a number of possible legislative actions that would clarify the authority and responsibilities of the Commission. The enclosed summary reflects what I have designated as "apparent consensus" among members of that Committee, a standing Committee of the Commission. These matters have not been formally presented to the Commission, although in past discussions the views of a majority of the members have coincided with the apparent consensus of the members of the Committee on Legislative Relations. One item is listed (item number 7) on which there is apparently no consensus in the Commission on Higher Education as reflected at the December 4 meeting of the Commission.

I am sending you the enclosure with the concurrence of the Chairman of the Commission (Dr. R. Cathcart Smith) and the Chairman of the Commission's Legislative Relations Committee (Mr. T. Emmet Walsh). I am also sending copies to Governor Edwards and to all members of the Commission on Higher Education. Mr. John Bauer has expressed to me an interest in this matter and I am also taking the liberty of sending a copy of this letter and the enclosure directly to him.

If we can be of further assistance in this or other matters, please let me know. We will be happy to elaborate on any of the subjects covered in the enclosure or to assist otherwise in any appropriate way.

With best wishes, I am

Sincerely yours,

Howard R. Boozer

HRB:gs

Enclosure

cc: The Honorable James B. Edwards  
Mr. John Bauer  
Members, Commission on Higher Education

Notes on Possible Changes Needed in Legislation Relating to the  
Duties and Responsibilities of the Commission on Higher Education

1. Apparent consensus: The 700/1000 FTE enrollment provision for expanding a regional campus of the University of South Carolina from two-year to four-year status should be revoked (Section 21-704.12, S.C. Code, pertaining to State Board for Technical and Comprehensive Education). Under this provision two-year branches at Conway, Spartanburg, and Aiken have become senior colleges after enrolling 1,000 full-time equivalent (FTE) students, subject only to approval by the USC Board of Trustees.
2. Apparent consensus: Sections 18, 19, and 20, Appropriations Act for 1975-76, appropriate funds for USC regional campuses at Conway, Spartanburg, and Aiken but also include a provision which removes the Commission's authority to approve third- and fourth-year programs at those institutions. This provision should be excluded from future Appropriations Acts.
3. Apparent consensus: There should be a statutory requirement for submission of capital improvement requests by public senior colleges and universities to the Commission for its recommendations and forwarding to the Budget and Control Board (discussion of this has not related to institutions under the State Board for Technical and Comprehensive Education). This statutory requirement would replace an existing informal agreement between the Budget and Control Board and the Commission.
4. Apparent consensus: The Commission should have statutory authority to terminate existing programs which are determined to be unnecessary. Section 22-15.9, S.C. Code, mandates that no new program shall be undertaken by any State-supported institution of higher learning without the approval of the Commission or the General Assembly. The Commission has a Statewide perspective including consideration of programs offered by private institutions. Authority to terminate programs will facilitate eliminating unnecessary duplication.
5. Apparent consensus: A statute makes the Budget and Control Board responsible for administering the S.C. Defense Scholarship Fund which provides the State funds required to participate in certain federal student loan programs. The statute does not authorize delegation of responsibility, but the Commission actually administers the Defense Scholarship Fund and the required State funds are included in the Commission's appropriation. This should be clarified by statute.
6. Apparent consensus: The Commission's annual appropriation includes funds for a grant of up to \$500 for students attending out-of-State institutions in fields of study not offered in S.C. public institutions. No other authority for the program exists. It should be authorized through permanent legislation.
7. No consensus: There has been discussion of the structure of the membership of the Commission, the role and voting rights of ex officio members, etc. There is no general agreement about any changes that should be made. A motion was made and seconded at the December 4 meeting of the Commission that it recommend amending the law so as to prohibit ex officio members from voting. A substitute motion was approved to the effect that the Commission should take no action on the motion concerning who shall or shall not vote. (See related newspaper clipping, attached.)