

MINUTES OF MEETING  
OF  
SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

MAY 2, 1974

10:30 a. m. - 1:10 p. m.

PRESENT:

COMMISSION MEMBERS

Dr. R. Cathcart Smith, Chairman  
Dr. Marianna W. Davis  
Mr. Alester G. Furman III  
Col. J. M. J. Holliday  
Mr. F. Mitchell Johnson  
Mr. T. Eston Marchant  
Mr. Paul W. McAlister  
Dr. Harrison L. Peeples  
Mr. Y. W. Scarborough, Jr.  
Mr. Fred R. Sheheen  
Mr. O. Stanley Smith  
Mr. I. P. Stanback  
Mr. T. Emmet Walsh  
Mr. Othniel H. Wienges, Jr.

STAFF

Dr. Howard R. Boozer  
Mrs. Gaylon Bristow  
Mr. William C. Jennings  
Dr. Frank E. Kinard  
Mr. Alan S. Krech  
Mrs. Rande Lee  
Mr. James R. Michael

GUESTS

Dr. Charles S. Davis  
Mr. J. Lacy McLean  
Dr. Charles Palmer  
Mr. John J. Powers  
Mr. James L. Solomon, Jr.  
Dr. R. Wright Spears  
Dr. Charles B. Vail  
Dr. Ross A. Webb

MEMBERS OF THE PRESS

Mr. Hugh Gibson  
Ms. Nancy Long  
Ms. Warren McInnis

I. Approval of Minutes

A. April 4, 1974, Regular Meeting of Commission

A motion was made (Stanback) and seconded (Sheheen) and unanimously adopted to approve the minutes of the April 4 meeting of the Commission on Higher Education as written.

B. April 10, 1974, Special Meeting of the Commission

A motion was made (Peeples) and seconded (McAlister) and unanimously adopted to approve the minutes of the April 10 special meeting of the Commission, with the following addition: On page 8, paragraph 3, the

sentence, "The motion was approved," should be changed to read, "The motion was approved by a vote of eight to four."

Dr. Peebles noted that the Report of the Health Affairs Committee, as it was adopted at the April 10 special meeting of the Commission, said that the University of South Carolina proposal for a medical school in Columbia would be recommended to the Commission on Higher Education if all the factors of the proposal were realized. He asked if the Commission had received a draft of a legally binding document with respect to hospital and clinical costs.

The Chairman reported that the Commission had not yet received such a draft. He stated that the Commission had accepted in good faith the April 9 letter from Mr. Frank Smith, Chairman of the Board of Trustees of Richland Memorial Hospital (see April 10 Minutes), but had further requested that Richland Memorial furnish the Commission with a legally binding contract between that hospital and the University of South Carolina.

Mr. Sheheen commented that no program can be instituted or go forward without additional formal action by the Commission on Higher Education. He noted that the April 10 Report of the Health Affairs Committee stated that "additional criteria other than funding must also be met . . . and when all other bodies have completed action on the University's several requests, including the General Assembly and the Veteran's Administration, the University must return for the final approval of the Commission, in accordance with the criteria which were adopted on August 2, 1973."

## II. Consideration of New Program Proposals from Clemson University

- A. B.S. in Economics -- Approved.
- B. B.S. in Community and Rural Development -- Approved.
- C. B.S. in Mathematics, Option in Actuarial Science -- Approved.

Mr. Wienges asked about the status of the productivity study of graduate programs. Dr. Kinard reported that the study is still in process. He noted that some of the institutions had requested a postponement of the deadline for submitting their data to the Commission, causing a delay to the staff in compiling the report.

A motion was made (Wieniges) and seconded (Sheheen) that the Commission conduct a similar survey on undergraduate degree programs. Dr. Boozer requested that such a study be deferred until the graduate study has been completed. Dr. Marianna Davis recommended that the Commission set criteria for undergraduate as well as graduate programs. The Chairman suggested that the staff present a plan at the next meeting for studying the situation. The motion was approved.

Dr. Boozer commented on the A.A.S. degree program in Ophthalmic Technology at Trident Technical College in Charleston which was approved by the Commission on April 4 "on the assumption that there is no law in effect which prohibits the utilization of Ophthalmic Technicians" (see April 4 minutes). He referred to a letter, dated May 1, from Dr. Charles Palmer with enclosures regarding the Ophthalmic Technology program. One enclosure was a letter from Dr. Benjamin F. Lawson, Dean of the College of Allied Health Sciences at the Medical University of South Carolina, which stated:

"I have reviewed the South Carolina law pertaining to ophthalmic technicians. I can assure you that the program recently approved as a conjoint program between Trident Technical College and the Medical University of South Carolina will operate within that law. A careful review of the curriculum reveals no conflict in this regard.

"A number of allied health programs teach theory that cannot currently be applied in the state but is a necessary element of any sound educational program. The presence of this material in the curriculum does not imply that the students will be allowed to practice on patients in violation of the law. Removal of such material from the curriculum would, however, limit the potential of graduates of the program."

Another enclosure was an interoffice memorandum from Mr. Keith T. Samuels, Jr., of the Trident Technical College:

"... The confusion seems to center around a sentence in the bill which states that 'under no circumstances will these physicians' assistants nor optometrists' assistants be allowed to make a refraction for glasses or give a contact lens fitting.' Since our curriculum includes material on refraction, it must have been implied that our students would graduate and do refractions and then fitting of lenses. Such is not the case. As pointed out in Dr. Lawson's letter, this material should be included in an educational program, even if the graduates are not allowed to apply the theory on the job."

Dr. Smith stated that the preceding letters were read as information only, and that no action by the Commission was necessary.

### III. Consideration of Proposed Changes to Procedures for Calling Special Meetings of the Commission

The special meeting of the Commission on Wednesday, April 10, was called on short notice, members having been advised of the meeting by telephone on Tuesday, April 9. Several members were disturbed by the timing and the lack of notice given in advance of the meeting. Dr. Smith had received a letter, dated April 11, from Mr. Mitchell Johnson, which had been reproduced and mailed to the members of the Commission at the Chairman's

request. Dr. Smith, in opening the discussion, referred to Mr. Johnson's recommendation that the procedures for calling special meetings be amended.

In the discussion, Mr. Johnson read a statement to the effect that it was his opinion that the special meeting called by the Chairman was within the concept of the present by-laws of the Commission. He also noted that his April 11 letter to the Chairman was singularly addressed, and was distributed to members of the Commission without his prior knowledge. He stated that it was his intention, in writing Dr. Smith on this subject, to provide the reasons he felt it necessary to strengthen the by-laws of the Commission.

Mr. Sheheen suggested that the Chairman should be able to call a special meeting of the Commission without the polling of a majority of the members. It was moved (Sheheen) and seconded (Johnson) that the question of amending the procedures for calling special meetings be referred to the Executive Committee with the request that its recommendations be presented to the Commission at the June meeting. Motion was approved.

Mr. Wienges noted that in the procedures presently in effect, there are several references to the "Commissioner." It was moved (Wienges) and seconded (Holliday) to substitute "Executive Director" for "Commissioner" throughout the procedures. Motion was approved.

IV. Report on Recommended Changes in Procedures for Reviewing the Annual Appropriation Request from SBTCE

Dr. Boozer noted that this item was on the agenda as a matter of information for the Commission. He reported that last fall when budgets were before the Commission, the Chairman wrote a letter to Governor West with reference to the role of the Commission on Higher Education concerning the SBTCE budget. Governor West replied that he would like to have the reaction of the SBTCE before bringing the matter to the Budget and Control Board. In February, Mr. Scarborough, Chairman of SBTCE, wrote Governor West concerning this matter. Dr. Boozer noted that since the Commission had not heard further from the Budget and Control Board, and since the matter had not been mentioned to the Commission since the December meeting, he brought it up at this time as a matter of information. He read an excerpt from Mr. Scarborough's letter to Governor West to the effect that the SBTCE would have no objection to submitting its proposed budget to the Commission on Higher Education well in advance of the SBTCE's and the Commission's presentations to the Budget and Control Board, and that SBTCE would reflect the Commission's comments in its presentation to the Budget and Control Board.

V. Report on the Annual Appropriations Bill as Recommended by the House Ways and Means Committee

Dr. Boozer introduced the discussion concerning the Appropriations Bill, noting that the pages of the Bill relating to the budgets of the colleges and universities, and of the Commission, had been reproduced for members. He called upon Mr. Jennings to comment on the Bill in more detail.

Mr. Jennings pointed out that in general the Budget and Control Board adhered closely to the Commission's recommendations for colleges and universities, with some cuts being made because of an anticipated lack of revenue. The Budget and Control Board recommended 95% of the funding under the formula, amounting to a total cut of approximately \$4,500,000. The Board recommended that appropriations for equipment come from surplus rather than general revenue. In addition to the Commission's recommendation, the Budget and Control Board recommended a general salary increase for State employees of an average of 4%.

Mr. Jennings mentioned four instances in which the Ways and Means Committee's recommendations differed from those of the Budget and Control Board. The Committee: 1. raised general salary increases from an average of 4% to an average of 6%; 2. recommended \$391,213 for operating expenses of a new medical school; 3. increased the basic appropriations for the regional campuses from \$786 per student (as recommended by the Commission) to \$800 per student, and provided \$125,000 each for 3rd year start-up expenses at Aiken and Spartanburg and \$148,000 for 4th year start-up expenses at Coastal. It was noted that Commission representatives, on invitation from the Ways and Means Committee, had appeared before the Committee to discuss the funding for the regional campuses before the Committee made its recommendations; and 4. provided \$1 million for Clemson University to purchase the computer they now operate under lease.

Chairman Smith read from a letter he had received from President Vail, which he had written in his capacity as Chairman of the Council of Presidents, requesting the Commission's assistance and support in seeking from the General Assembly 100% formula funding of the colleges and universities as originally recommended by the Commission. During the discussion, it was suggested that, in view of the improved forecasts of 1974-75 revenue, the Commission request reconsideration by the General Assembly of the CHE October 24, 1973, recommendations to the Budget and Control Board, the Senate Finance Committee, and the House Ways and Means Committee. It was moved (Walsh) and seconded (Wienges) and unanimously voted that the Commission reaffirm its recommendation that the colleges and universities be funded at 100% of the appropriation formula, and that, if sufficient funds are not available for 100% funding, such funds as are available be allocated proportionately among the institutions according to the formula. It was suggested that the Chairman convey this Commission action to the Chairman of the House Ways and Means Committee, the Speaker of the House, the Chairman of the Senate Finance Committee, and the President of the Senate.

#### VI. Discussion of Apparent Conflict in Act 1268, 1972, Concerning the Governance of University Branches That Become Senior Colleges

Act 1268, 1972, which created the State Board for Technical and Comprehensive Education, also included references to University branches and how such branches that might become senior institutions are to be governed. Provisions of the legislation with respect to the governance of such branches appear to be ambiguous. The apparent conflict is found in Section 2 and Section 8 of Act No. 1268, which read as follows:



"SECTION 2 . . . It is provided further that such university branches or centers are hereby specifically authorized to offer courses in the junior level where such branch or center has an enrollment of seven hundred full-time equivalent students and to offer courses in the senior level when such branch or center has one thousand full-time equivalent students, both subject to the approval of the Board of Trustees of the University concerned. Such branch or center shall continue to be under the administrative and jurisdictional control of its local governing board and the board of trustees of the University of South Carolina or Clemson University, as the case may be.

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"SECTION 8. All additional four year institutions created under this Act shall be under the control of the State College Board of Trustees."

Section 8 is consistent with Act No. 353, 1969, creating the State College Board of Trustees: "Section 1 . . . the Board shall be the governing body of Marion State College at Florence and any four-year state-supported college created hereafter in this state . . ."

Administrative and jurisdictional control by the university of four-year institutions created under Section 2, Act No. 1268 appears to be inconsistent with the intent of the General Assembly as expressed in Act No. 353, creating the State College Board of Trustees, and reaffirmed in Section 8, Act No. 1268.

The State Attorney General has provided an advisory opinion that a branch or center which offers junior and senior level courses as authorized by Act No. 1268, 1972, would not thereby become a "four-year state-supported college" but would remain a subdivision of the parent university. Further, he states that in Act No. 1268, 1972, the specific provision in Section 2 supercedes the general provision of Section 8, thus leaving branches with junior and senior level courses under the parent university.

After discussion, it was moved (Sheheen) and seconded (Johnson) that the Executive Director bring the discrepancies in the law to the attention of the Speaker of the House and the President of the Senate with the request that the matter be clarified legislatively. Motion was approved, Marchant abstaining.

#### VII. Report on Proposed Science and Technology Center

Dr. Boozer sought the advice of the Commission with reference to the request he had received from the Committee of One Hundred to sign with several others, including President Edwards and President Jones, a statement endorsing and supporting the development of a Science and Technology Center. The matter had first come to his attention in newspaper accounts in the Columbia Record on February 14 and March 14. In conversations with

Mr. John W. Lazur and two other representatives of the Committee of One Hundred at the Commission's office in April and again with Mr. Lazur on May 1, Dr. Boozer had explained the Commission's role with respect to the approval of new programs in all public post-secondary educational institutions.

In the discussion, it was the consensus that it would be premature and inappropriate for Dr. Boozer or for the Commission, because of its statutory responsibility for approving new programs and financial commitments on the part of the State-supported colleges and universities, to take a position with respect to the proposed Center at this time. It was the Commission's view that it could not take a position on the matter in the absence of a formal proposal from the institutions setting forth the details of the Center's proposed organizational structure, governance, financing, and related matters.

It was moved (Furman) and seconded (McAlister) that the Commission adopt a neutral position with respect to the proposed Science and Technology Center, since the institutions' specific proposals would require review and approval by the Commission before their involvement could proceed, and that Mr. Lazur be written by Dr. Boozer requesting that his name be deleted from the earlier materials and the revised statement which was delivered to him on May 1. Motion was approved.

This neutral position was adopted by the Commission without reference to the merits of the proposal and not because of any negative reactions to the recommended study, but because the involvement of the University of South Carolina and Clemson University, and possibly other public institutions, would require Commission review and approval of the specifics before such involvement could be undertaken.

VIII. Report on the Transfer of Responsibility for Certain Federal Programs to the Commission

Dr. Boozer reported that legislation has passed both the House and the Senate on the bill sponsored by the Commission on Higher Education, with the support of Governor West, to transfer the functions of the Higher Education Facilities Commission to the Commission on Higher Education on July 1, 1974. He noted that the bill was amended in the legislative process to include all the programs under the Federal Education Act of 1965 (as amended) administered at the State level, including Community Service and Continuing Education (Title I) and those programs administered by the Higher Education Facilities Commission. These programs have been operated until the present under the auspices of the Budget and Control Board. Dr. Boozer introduced Mr. John J. Powers (Administrator of the Community Service and Continuing Education Program, Title I), and Mr. James L. Solomon, Jr. (Executive Director of the Higher Education Facilities Commission) who commented on the programs they administer.

Mr. Powers distributed informational materials and spoke briefly on the background of the Title I program (Community Service and Continuing Education), noting that its mission is to assist people throughout the country in the solution of community problems in partnership with the colleges and universities. Each state has a Title I program operated under a state agency. In South Carolina the Budget and Control Board has been assisted by a State Advisory Council, of which Dr. Wright Spears has been chairman since 1966. Funds are allocated to the states on the basis of population.

Mr. Solomon distributed a report and commented on the organization, responsibilities, and functions of the Higher Education Facilities Commission. The State Advisory Council, appointed by the Governor, recommends grants and advises the Facilities Commission on program matters. The Advisory Council consists of representatives from state-supported and private post-secondary educational institutions and from the public at large. He pointed out that the Facilities Commission conducts special facilities-related planning projects at postsecondary institutions in the State, advises concerning the need for new facilities at postsecondary institutions, and assists the Governor's Executive Assistant for Education. Mr. Solomon commented on recent Facilities Commission activities, including the statewide facilities inventory workshop last September which featured discussions of the facilities and space management at the institutions. Dr. Boozer noted that there are still many details to be worked out in connection with the transfer of these functions to the Commission on Higher Education, but he foresees no difficulty in effecting the transition.

#### IX. Discussion Concerning a Second Medical School

Dr. Peeples distributed a packet of materials, on file at the Commission Office, concerning the proposed second medical school. He read a memorandum he had written to Commission members (dated May 2, 1974) and a four-page "Summary of Controversial Points" (Exhibit A), and noted his belief that the Commission is the best forum to answer questions raised by such conflicting views. He stated that the Board of Trustees of the Medical University would welcome and encourage a liaison between the University of South Carolina and the Medical University of South Carolina to more accurately establish statistics as to present accomplishments and projected finances. The Chairman urged Commission members to read the material distributed by Dr. Peeples and stated that he would welcome their views.

#### X. Other Business

Dr. Peeples introduced a letter to Mr. Berton Rodgers of the Medical University from Dr. Carter P. Maguire, a physician in Charleston, which opened with the statement that he had "been requested by the South Carolina Commission on Higher Education to submit his views concerning the existing fee schedule at the Medical University Hospital for the professional staff . . ." Dr. Peeples requested clarification of Dr. Maguire's role in



the study approved by the Commission. Mr. Sheheen commented on a letter he had received from Dr. Maguire, dated February 14, which he had referred to Dr. Boozer for reply. Dr. Boozer, in his reply of February 26 to Dr. Maguire, indicated that he had requested a report from the Medical University concerning this subject, that Dr. Maguire's interest was appreciated, and that any information he would care to submit would be welcomed. Dr. Boozer stated that he would write to Dr. Maguire again to emphasize that at no time had he been authorized or requested to seek information on behalf of the Commission. Dr. Smith observed that no action by the Commission was necessary.

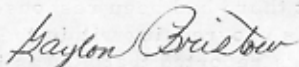
Dr. Smith noted that in July or August of each year a meeting is held with the college presidents and their financial officers concerning budgets. A letter has been sent to the presidents requesting that they make known to the Commission any changes they would suggest in the budget formula. Dr. Smith asked if responses to those letters had been received. Dr. Boozer replied that there had been responses from all of the presidents and that the staff was progressing within the usual time frame on this matter. Mr. Jennings reported that he was in the process of analyzing the presidents' suggestions for referral to the Commission's formula committee. That committee will then draft a report which will be sent to the presidents for their further comment. Dr. Smith asked if the Commission might need to have a special meeting for that purpose again this year. Mr. Jennings stated that it might be necessary, as in the past, to have such a meeting. Mr. Wienges asked if any of the responses referred to the funding of summer schools other than by fees. Mr. Jennings replied that that question had not been included, but that there is a general understanding that the incremental summer school costs will be covered by student fees.

Dr. Davis commented on a workshop on student interns which she had attended recently. She mentioned that all the students presently participating in the South Carolina program are from the University of South Carolina and requested that the Commission look into the situation to determine how students from all institutions can be involved, since State money is appropriated for the support of the program. Mr. Krech stated that the intern program to which Dr. Davis referred is run by the Division of Administration of the Governor's Office and the Commission has no involvement in it. Dr. Davis asked if the formula would provide for interns from State institutions. Dr. Boozer answered that any costs related to participation in this intern program would come out of the individual institution's budget and were not dealt with separately in the formula budget. Dr. Vail stated that an institution's proximity to the State Capital is important and that an intern program can be very poor as well as costly if it is not properly supervised and carefully administered. Dr. Smith requested that the staff report to the Commission on this matter at the June meeting.

Dr. Davis then read from the legislation which established the Commission on Higher Education, "... that the Commission shall meet regularly and is charged with the duty of making studies of the State's Institutions of Higher Learning, relative to both short- and long-range programs which shall include the administrative set-up and curriculum offerings of the several institutions and of the various departments, schools, institutes, and services within each institution, and the respective relationships to the services and offerings of other institutions." She stated that she wished to emphasize that the Commission's purpose is not only to discuss budgets and finance, but also to look at curriculum offerings and the administration of the State institutions.

There being no further business, on motion made (Stanback) and seconded (Scarborough), the meeting was adjourned at 1:10 p. m.

Respectfully submitted,



Gaylon Bristow  
Recording Secretary