

MINUTES OF MEETING
OF
SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

November 4, 1977
10:30 a.m. - 1:00 p.m.

PRESENT:

COMMISSION MEMBERS

Dr. R. Cathcart Smith, Chairman
Mr. Howard L. Burns
Mr. Arthur J. H. Clement, Jr.
Mrs. Wanda L. Forbes
Mrs. Nancy D. Hawk
Dr. John M. Pratt
Mr. William F. Prioleau, Jr.
Mr. Alex M. Quattlebaum
Mr. Y. W. Scarborough, Jr.
Mr. T. Emmet Walsh

GUESTS

Dr. Robert C. Edwards
Mr. A. D. Hutto
Mr. J. Lacy McLean
Dr. James R. Morris, Jr.

STAFF

Dr. Howard R. Boozer
Dr. George P. Fulton
Mr. William C. Jennings
Dr. Frank E. Kinard
Mr. Alan S. Krech
Mr. James R. Michael
Mr. James L. Solomon, Jr.
Mrs. Gaylon Syrett
Mrs. Judi R. Tillman

I. Presentations by Clemson University

Following presentations concerning Clemson University, President Edwards hosted Commission members and guests at a luncheon in the Clemson House after the meeting. Dr. Smith expressed appreciation to President Edwards for the courtesies extended to the Commission, guests, and staff members.

II. Minutes of October 19, 1977, Commission Meeting

It was moved (Scarborough) and seconded (Pratt) that the minutes of the October 19, 1977, Commission meeting be approved as written. The motion was adopted.

III. Capital Improvement Requests

Mr. Quattlebaum, Chairman of the Committee on Facilities and Federal Programs, reported that the Committee had reviewed by mail ballot two requests for Capital Improvements:

a. University of South Carolina - Animal Research Facility, \$250,000. The Committee recommended approval. It was moved (Quattlebaum) and seconded (Pratt) that the recommendation of the Committee be approved. The motion was adopted.

b. Medical University of South Carolina - Renovation of 700 square feet of the fifth floor of the Eye Institute Building for use as a General Chemistry Laboratory, \$36,000. The Committee recommended approval. It was moved (Quattlebaum) and seconded (Walsh) that the recommendation of the Committee be approved. The motion was adopted.

Mr. Quattlebaum reported that the staff had received, on November 1, an additional Capital Improvement request from MUSC for \$34,000 for renovation of a different part of the fifth floor of the Eye Institute to be used for ophthalmology research. He noted that the cost of the renovation will be covered entirely by federal funds. Dr. Pratt stated that the proposed renovations of the Eye Institute, which is approximately one year old, are normal adjustments necessary for a new facility. Mr. Burns suggested that the request be referred to the Committee and handled through the usual procedures. Mr. Quattlebaum requested that the Commission consider the possibility of giving the Committee discretionary powers with reference to requests amounting to no more than \$50,000 where no State funds are involved. Mr. Burns stated that, while he has no objection to Mr. Quattlebaum's suggestion, he would be concerned about future costs to the State that might result from approval of such requests. He suggested that the Commission follow such a procedure only in instances where a time constraint exists. Mr. Clement asked why the institutions cannot anticipate such needs in sufficient time to notify the staff and Committee members prior to a Committee meeting. He expressed the view that consideration of proposals without discussion by the Committee is not good procedure and prevents the Committee from functioning as it should. He suggested that the matter be referred to the Committee for discussion at a regular Committee meeting. Mr. Quattlebaum suggested that the Commission take action on the request by MUSC, and that the matter of granting additional authority to the Committee be deferred until the Committee itself has met and discussed it. It was moved (Quattlebaum) and seconded (Clement) that the Capital Improvement request by MUSC for \$34,000 be approved. Mr. Burns expressed disapproval of the motion in the interest of following proper procedure. Mr. Walsh stated that the Commission should adhere to normal procedures except in emergency situations. The motion was approved, with six voting in favor and two opposing.

IV. Proposed Regulations to Implement Act 201 of 1977

Dr. Boozer stated that the 1977 General Assembly enacted legislation (Act 201) designating the Commission on Higher Education as the sole authority in the State with the power and duty of licensing non-public educational institutions to confer degrees. Under the Act, the Commission is authorized to establish and prescribe rules and regulations for licensing, and to specify the minimum standards for licensure. The draft "Regulations for Licensing Non-Public Educational Institutions to Confer Degrees" is attached as Exhibit A. Dr. Boozer noted that basic staff work and drafting were done by Mr. Krech and Dr. Kinard. Dr. Smith expressed appreciation for the extensive amount of work that went into this project, and for the able manner in which staff members have dealt with this and other assignments over the past several months, such as the Guidelines for a Medical Practice Plan for South Carolina and the Draft Legislation Concerning Student Residency.

Dr. Kinard stated that the staff reviewed copies of similar legislation and similar regulations from numerous other states, as well as suggestions from key officials in several South Carolina State agencies, as the draft regulations were developed. After approval of the draft by the Commission, the regulations will be codified and published in the State Register. Notice of Proposed Promulgation of Regulations must be published in two newspapers of general circulation in the State, along with a description of the subjects and issues involved and a statement of time, place, and manner in which interested persons may present their views thereon.

After later making any necessary modifications, the Commission will submit the regulations to the General Assembly where they will be subject to review for ninety (90) days. Following approval by the General Assembly, the regulations will be filed with the Legislative Council and published in final form in the State Register. Dr. Kinard noted that the staff hopes to complete the process by April 15, 1978. The staff recommended approval of the draft, subject to modification of titles and format, for codification and publication in the State Register as proposed regulations.

Mr. Quattlebaum inquired concerning additional responsibilities for the staff in the certification process. Dr. Kinard stated that while additional work will be required, the full-time attention of a member of the staff will not be needed. Dr. Boozer commented that this is another instance of the accretion of additional responsibilities without the concomitant recognition that resources need to be provided accordingly. He noted that the appropriation requests by the Commission for the past several years for three additional subordinate research staff members have not been approved.

Mrs. Hawk suggested that the expense of evaluation and certification be borne by the institution seeking licensure. Mr. Krech stated, and Mr. Walsh concurred, that if institutions pay the fees the licensing team might incur a feeling of obligation; when the State bears the cost, however, that possibility is absent. Mr. Krech suggested that if a fee should be charged, a graduated fee schedule, dependent upon such factors as the size and type of the institution, be developed. It was moved (Quattlebaum) and seconded (Clement) that the staff be given the authority to establish a graduated fee schedule. The motion was approved. Mr. Krech noted that establishment of such a fee within the regulations themselves might require the specific approval of the Legislature.

Mrs. Hawk commented that in her opinion the requirements set forth in the draft were vague and would require a judgmental evaluation by the staff. She inquired concerning specific standards for licensure. Dr. Kinard stated that an examining licensure team, composed of one or more Commission staff members, and faculty members or administrators from public and private sectors of higher education, will visit the campus of an institution applying for license and make a recommendation to the Executive Director of the Commission, who will in turn make his recommendation to the Commission. Dr. Boozer noted that the intent of licensure is only to assure the public that the institutions in question are bona fide; the licensing procedure will not constitute accreditation. It was moved (Walsh) and seconded (Scarborough) that the draft regulations be approved. The motion was adopted.

V. Guidelines for a Medical Practice Plan for South Carolina

Dr. Boozer stated that concerns have been expressed in the past by members of the Commission relating to the Medical Practice Plan in operation at the Medical University of South Carolina for the purpose of supplementation of the base salaries of clinical professors engaged in patient care within the State-owned teaching facilities of the Medical University Hospital. When Dr. Fulton joined the staff in 1974, he was assigned the task of determining and comparing the characteristics of Medical Practice Plans in a number of medical centers, including MUSC. Detailed information was presented to the Commission on August 28, 1974. Because certain questions required

further clarification, the Commission requested that the staff formulate a statement to serve as guidelines for medical practice plans at the two medical schools in the State. The position paper, "Guidelines for a Medical Practice Plan for South Carolina" (Exhibit B), was accepted by the Dean's Committee on Medical Doctor Education on May 26, 1977, and by the Health Education Authority on September 14, 1977.

Dr. Fulton stated that the Guidelines under consideration have undergone frequent revisions, and have been approved by both MUSC and USC. He noted that a committee of the State Budget and Control Board, consisting of the State Auditor, the State Treasurer, and the Chairman of the House Ways and Means Committee, is studying the subject, under the leadership of Mr. P. C. Smith, Director of State Planning.

Mr. Burns suggested that the Chairman appoint a committee of the Commission to review the guidelines and develop a recommendation to the Commission. Mr. Clement stated that in his opinion, if the individuals involved have approved the guidelines, it should not be necessary for a committee to study them further. It was moved (Clement) and seconded (Forbes) that the "Guidelines for a Medical Practice Plan for South Carolina" be endorsed and that their publication by the Staff be authorized. The motion was approved.

VI. Consideration of Draft Legislation Concerning Student Residency

Mr. Michael stated that Commission members were provided, on October 26, 1977, materials relating to proposed legislation amending the current laws on determining residency for the purpose of paying tuition and fees at State institutions. The draft legislation was reviewed by the Executive Committee of the Commission. A draft letter to the members of the education committees of the General Assembly, explaining the major proposed changes, and the proposed legislation are attached as Exhibit C. It was moved (Quattlebaum) and seconded (Pratt) that the draft legislation be endorsed and that the Commission be authorized to transmit the draft to members of the Senate Education Committee and the House Education and Public Works Committee. The motion was approved.

VII. Other Business

December Meeting of the Commission. Dr. Smith suggested that the next regular meeting of the Commission be scheduled for Thursday, December 8. It was moved (Burns) and seconded (Clement) that the meeting be scheduled for December 8. The motion was adopted. Dr. Smith stated that Commission members will be notified by mail concerning the time of the meeting.

Recruitment of Students. Mr. Quattlebaum expressed concern about the efforts of State institutions to increase enrollments through recruitment of students. He stated that in his opinion the role of public institutions should be educational rather than competitive. It was moved (Quattlebaum) that the staff obtain information from each State institution with reference to the number of persons involved in the recruitment of students and the amount of State funds and other funds used for recruitment purposes. In response to an inquiry from Dr. Smith, President Edwards stated that no funds are spent by Clemson University for recruitment, because Clemson receives more applications for admission each year than it can accept. The motion was not seconded.

VIII. Report of the Executive Director

Dr. Boozer expressed appreciation to President Edwards for the hospitality shown the Commission and staff, and especially for President Edwards' invitation to Barbara Boozer to attend the dinner on November 3. He stated further that he appreciated the level of the discussions and the equanimity of the proceedings. Dr. Smith agreed.

On motion made (Burns) and seconded (Forbes) and unanimously voted, the meeting was adjourned at 1:00 p.m.

Respectfully submitted,



Gaylon Syrett
Recording Secretary